



**Black Diamond Fire Station  
Area Zoning and Land Use Study  
2024 King County Comprehensive Plan  
December 2023**

**I. Overview**

The 2024 King County Comprehensive Plan Update Scope of Work<sup>1</sup> directs analysis of potential Urban Growth Area boundary, policy, and/or code changes near the City of Black Diamond, as follows:

Black Diamond Fire Station: Review land use designations and implementing zoning on parcel 0421069092 and the surrounding area; to consider changes to the land use designation and zoning that would allow sewer service, including whether this area should be inside the urban growth area; and evaluate whether policy and/or code modifications should be enacted to allow sewer service for public safety facilities that are outside the urban growth area boundary.

**II. Land Use Information**

**A. Parcel and Vicinity Information**

Parcel Number	Property Name/ Ownership	Land Use Designation	Zoning Classification	Development Conditions	Acreage	Present Use
0421069092	Black Diamond Fire Station 98/City of Black Diamond	ra	RA-5	None	1.37	Governmental Service

The subject parcel is currently developed with a fire station owned by the City of Black Diamond. According to sales history and property information, the property was purchased by King County Fire District #17 from a private seller in 1988. The existing fire station was built in 1989, then the property was subsequently sold by the Fire District to the City of Black Diamond in 2003.

<sup>1</sup> Motion 16142 [\[LINK\]](#)

The property is zoned RA-5 (Rural Area, one home per five acres) and has an "ra" (Rural Area) land use designation. The site is roughly 120 feet deep and has approximately 680 feet of frontage on SE 296th St. Access to the site is provided via a loop driveway connecting to SE 296th St.

The subject property is in a residential area and is adjacent to the City of Black Diamond city limits and the Urban Growth Area boundary. Surrounding properties are developed with single family residential development. Adjacent property zoning is RA-5 to the south, UR-P (Urban Reserve, with p-suffix condition TR-P49)<sup>2</sup> to the west, and City of Black Diamond zoning R4 (Single Family Residential, four homes per acre) to the north and east.

The UR-P lands to the west were created via a Four-to-One<sup>3</sup> Urban Growth Area expansion proposal adopted in 2008<sup>4</sup> and as subsequently amended in 2016.<sup>5</sup> A permanent conservation easement was placed on the eastern portion of the expanded urban area so as to not allow for further expansion of the Urban Growth Area boundary to the rural properties to the east (which includes the subject parcel), consistent with the Four-to-One Program goals and requirements.

The Kentlake Highlands Potential Annexation Area is to the west.

## **B. Infrastructure and Services**

Water service to the property is provided by the Covington Water District. The subject property has paved parking and is currently on a private septic system. The parcel fronts SE 296th St. There are no King County Metro bus routes that serve the subject property.

The fire station on the site currently supports four overnight staff, with some additional staffing and services. The Fire District has indicated a desire to improve the sleeping conditions for the overnight staff within the existing building footprint. The Fire District had previously indicated that the current septic system cannot accommodate the planned building improvements and has requested to connect to sewer service to support the remodel.

In the 2023-24 Biennial Budget, the County Council provided funding for the County to work with a consultant(s) to analyze the septic system capacity for the station in consultation with the District.<sup>6</sup> The Executive worked with consultants to:

1. Inspect the condition of the current septic system, to determine if there is a current failure or any substantive issues with the system and whether the system could accommodate additional staff;
2. Complete a septic feasibility and design options analysis for a potential new system if the fire station were remodeled, including how many staff could be accommodated if the current system were updated or replaced; and
3. Complete a Critical Areas Designation (CADS23-0091).

The analysis concluded that the current septic system is in good condition, can support up to six employees, and a few minor low-cost adjustments are needed. If expanding staffing further, an updated or new septic system could support eight staff. As of August 2023, the Fire District

<sup>2</sup> TR-P49: Reserve at Covington Creek UGA - RA-5 to UR-P [\[LINK\]](#)

<sup>3</sup> Four-to-One Program [\[LINK\]](#)

<sup>4</sup> Ordinance 16263 [\[LINK\]](#)

<sup>5</sup> Ordinance 18427 [\[LINK\]](#)

<sup>6</sup> Ordinance 19546, Section 17, Expenditure Restriction 1 [\[LINK\]](#)

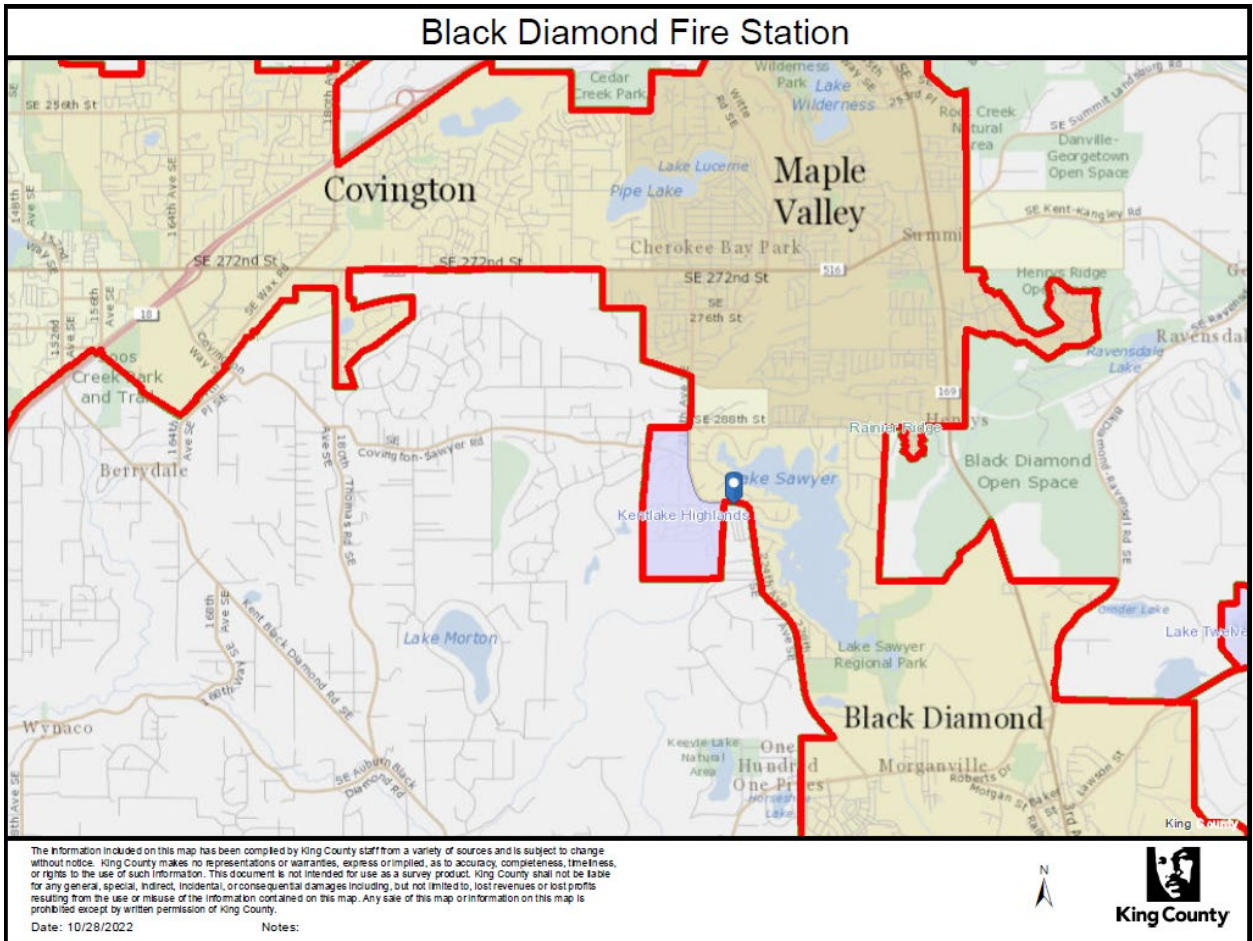
indicated that there is no near-term planned pending remodel of the building and staffing will remain at four for the foreseeable future.

**C. Environmental Constraints**

All of the property is in the Wildland Urban Interface.<sup>7</sup> A Critical Areas Determination was completed in 2023. The parcel is within both a Category I and a Category II Critical Aquifer Recharge Area (CARA). The buffers from a Category II wetland and a Type S aquatic area are also present on the property. The parcel has a Conservancy shoreline designation.

**D. Maps and Photos**

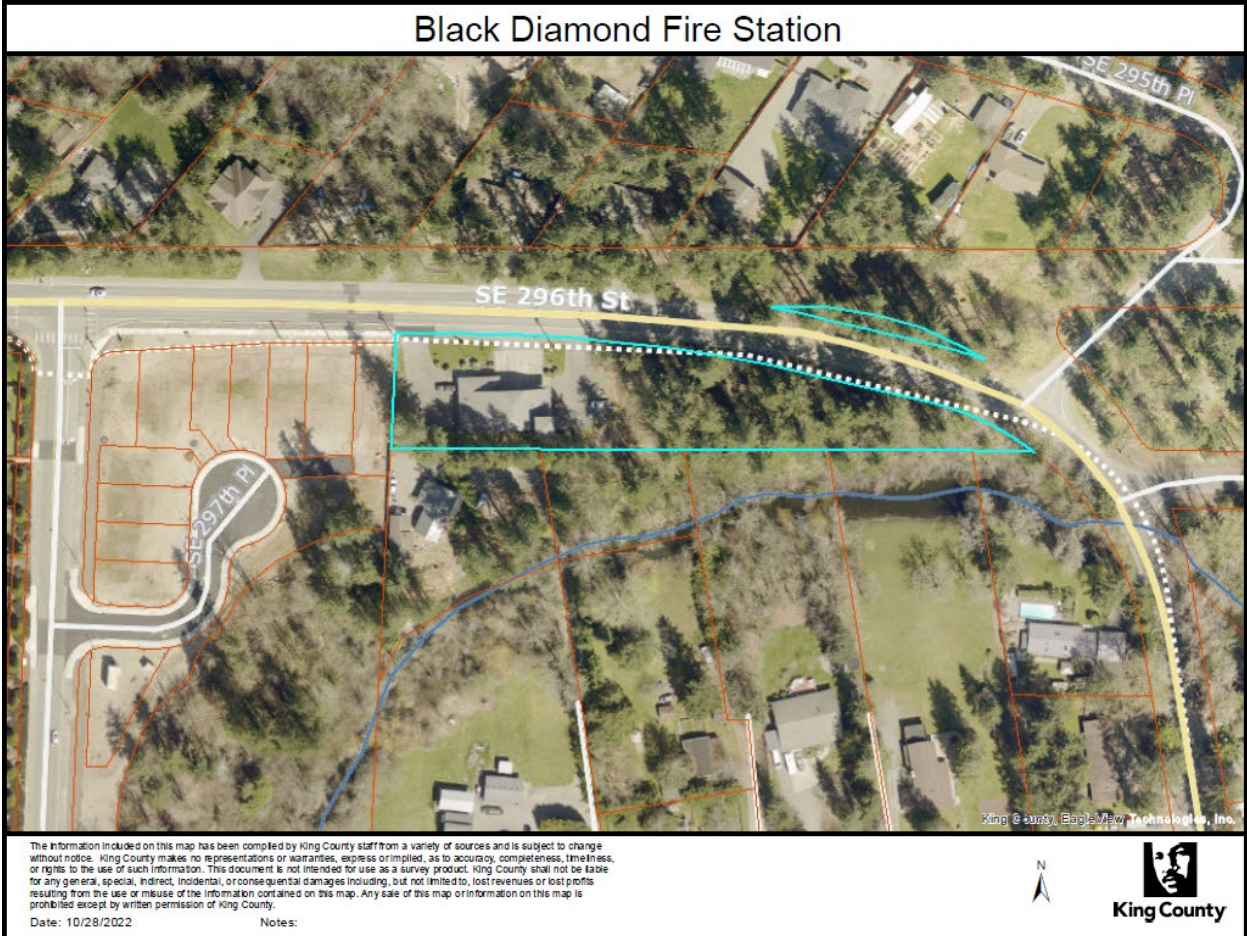
**1. Vicinity Map<sup>8</sup>**



<sup>7</sup> WA State's Wildland Urban Interface (arcgis.com) [\[LINK\]](#)

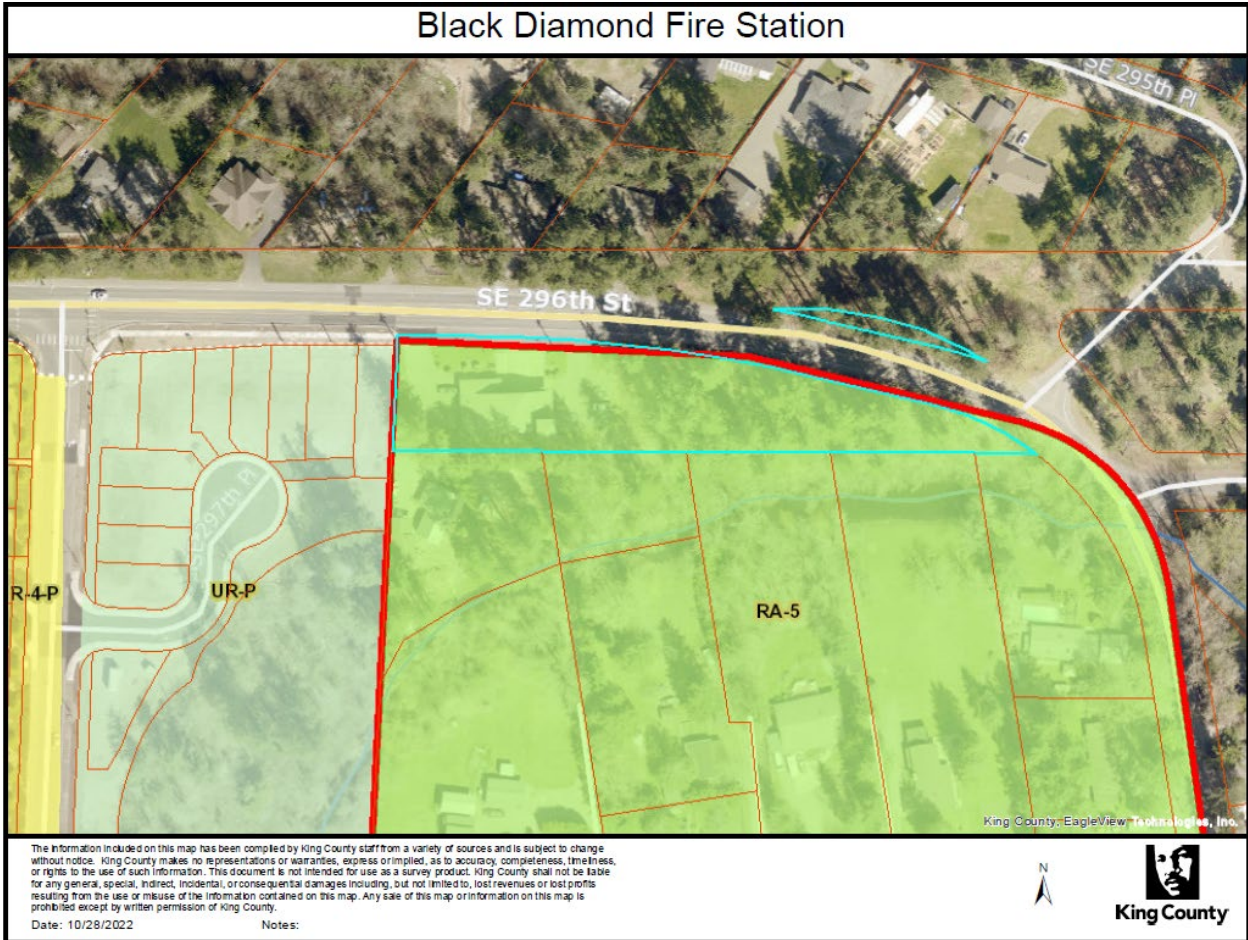
<sup>8</sup> King County iMap [\[LINK\]](#)

2. Aerial Site Map<sup>9</sup>



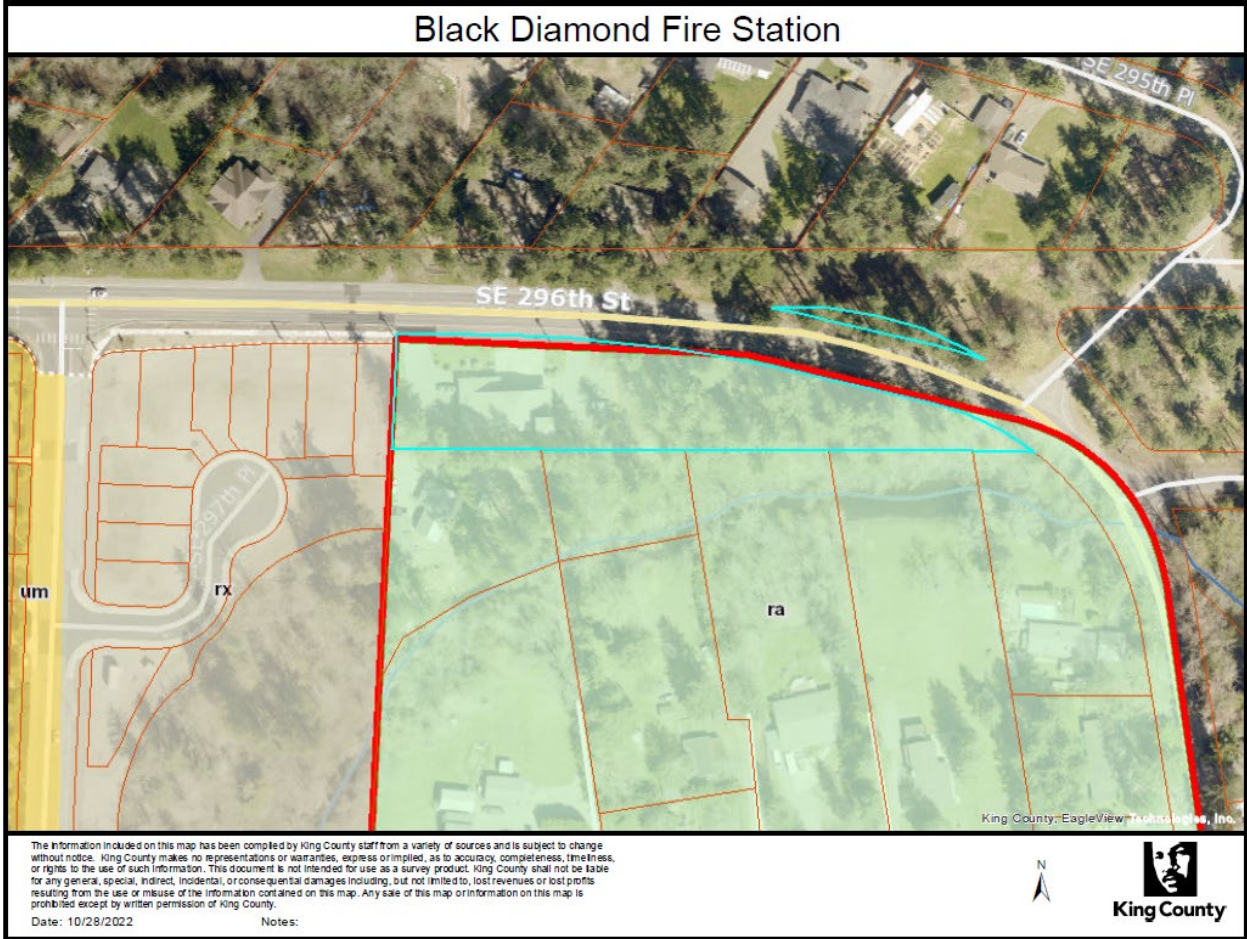
<sup>9</sup> Ibid

3. Zoning Map<sup>10</sup>



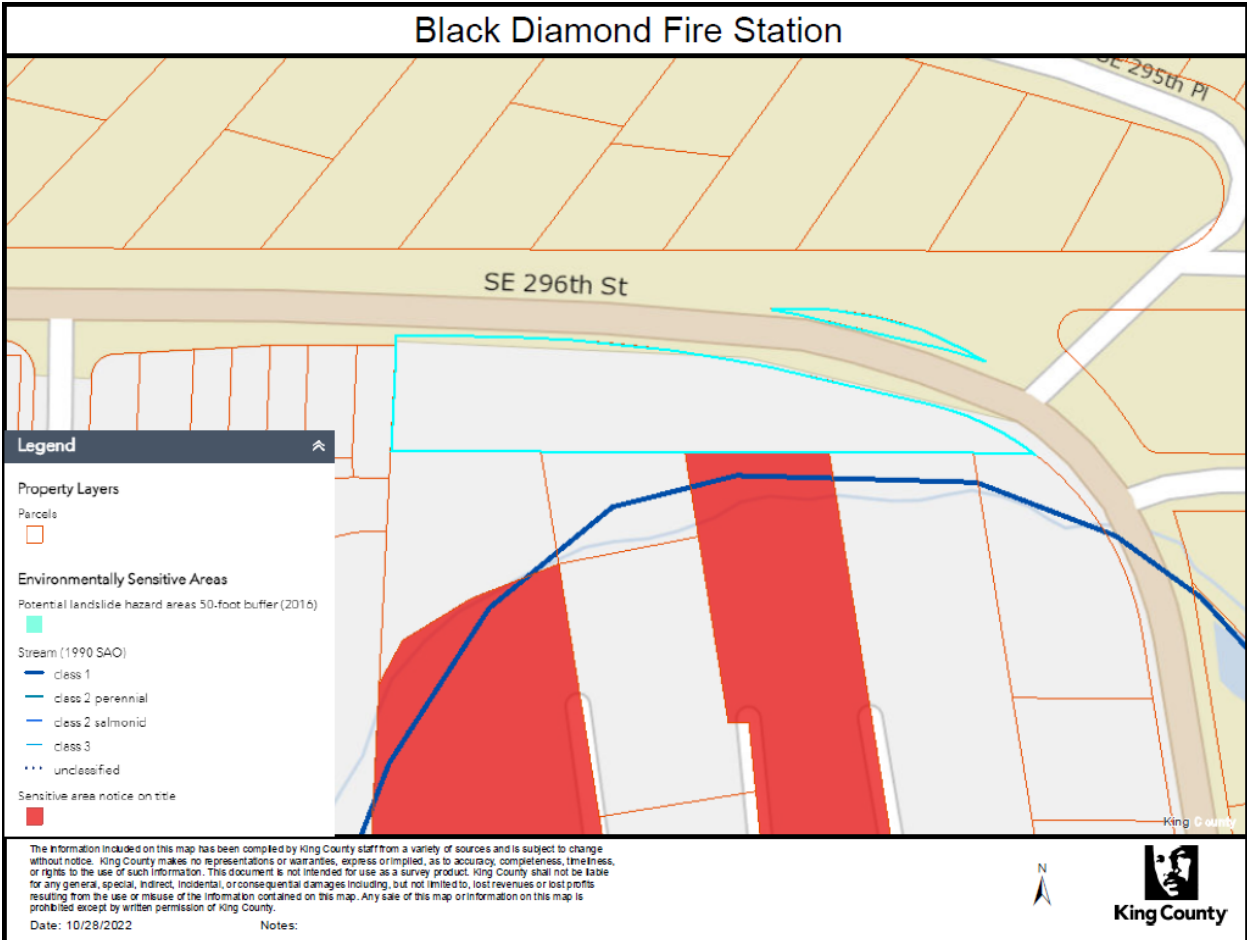
<sup>10</sup> Ibid

4. Land Use Map<sup>11</sup>



<sup>11</sup> Ibid

5. Environmentally Sensitive Areas Map<sup>12</sup>



<sup>12</sup> Ibid

6. Photos<sup>13</sup>



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<sup>13</sup> Bing maps [\[LINK\]](#)





### III. Regulatory Context and Analysis

King County is required by the Growth Management Act (RCW Chapter 36.70A) to designate an Urban Growth Area, within which urban growth is directed and outside of which growth can occur if it is not urban in nature. The Act also dictates that “rural services do not include ... sewers” except in limited cases to protect basic public health and safety and the environment.<sup>14</sup> The County is also required to maintain countywide planning policies “for promotion of contiguous and orderly development and provision of urban services to [Urban Growth Areas]”.<sup>15</sup>

To implement this statutory requirement, the King County Countywide Planning Policies (CPPs)<sup>16</sup> contain policies that guide when urban services such as sewer service may be allowed outside of the Urban Growth Area (see PF-13 and DP-49, below). Sewer service is not allowed in the rural area, except in limited instances.

**PF-13** Prohibit sewer service in the Rural Area and on Natural Resource Lands except:

- a) Where needed to address specific health and safety problems threatening existing structures; or
- b) As allowed by Countywide Planning Policy DP-49; or
- c) As provided in Appendix 5 (March 31, 2012 School Siting Task Force Report).

**DP-49** Limit the extension of urban infrastructure improvements through the Rural Area to only cases where it is necessary to serve the Urban Growth Area and where there are no other feasible alignments. Such limited extensions may be considered

<sup>14</sup> RCW 36.70A.030(25) [\[LINK\]](#) and RCW 36.70A.110(4) [\[LINK\]](#)

<sup>15</sup> RCW 36.70A.210(3)(b) [\[LINK\]](#)

<sup>16</sup> King County Countywide Planning Policies [\[LINK\]](#)

only if land use controls are in place to restrict uses appropriate for the Rural Area and only if access management controls are in place to prohibit tie-ins to the extended facilities.

The subject property currently does not meet any of the criteria in policy PF-13. The septic system analysis determined that there are no health and safety problem threatening existing structures pursuant to subsection-a; the extension of sewer service would be to serve an area *outside* the Urban Growth Area, therefore subsection-b does not apply; and lastly, the proposed land use is a fire station that was not included in the School Siting Task Force report, therefore subsection-c does not apply.

In addition to the policy requirements in the CPPs, the King County Comprehensive Plan<sup>17</sup> also contains policies regarding the provision of sewer service to rural areas. A key policy is F-264:

**F-264** Except as otherwise provided for in this policy, public sewer service shall be prohibited in the Rural Area or on Natural Resource Lands.

- a. Public sewer service may be expanded to the Rural Area or to Natural Resource Lands, only:
  1. Where needed to address specific health and safety problems threatening the use of existing structures and the use of septic or other onsite wastewater systems has been determined by King County to be not feasible; or
  2. To serve a new school authorized to be located in the Rural Area by R-327.
- b. Public sewers may be extended, pursuant to this policy, only if they are tightlined and only after a finding is made by King County that no reasonable alternative technologies are feasible.
- c. Public sewers that are allowed in the Rural Area or on Natural Resource Lands pursuant to this policy shall not be used to convert Rural Area land or Natural Resource Lands to urban uses and densities or to expand permitted nonresidential uses.

Similar to Countywide Planning Policy PF-13 above, public sewer service would not be able to be provided under subsection a.1. or b. as the septic system is in good condition and, if a failure happens at some point in the future, a new system could feasibly be accommodated on the site. There are also similar requirements in the code, such as in K.C.C. 13.24.035 and 13.24.134. These code sections also require King County Council action to amend to an applicable sewer comprehensive plan to allow sewer service to a rural area if it meets the aforementioned criteria.

**13.24.035** Public sewer service. (excerpt)

...

- C. Public sewer service shall not be provided outside the urban growth area or any rural town designated to receive the service, except as described in K.C.C. 13.24.134.
- D. Sewer extensions under subsections A. and C. of this section shall be approved by the council, if it is determined that the extension meets the criteria in this section and is consistent with all other adopted King County policies and regulations.

<sup>17</sup> King County Comprehensive Plan [\[LINK\]](#)

Decisions on sewer extensions in rural or resource areas shall be made by the council in the form of a sewer comprehensive plan or an amendment to a sewer comprehensive plan.

...

**13.24.134** Sewer service in rural and natural resource areas - prohibited - exceptions.

- A. Except as otherwise provided in this subsection B. of this section, sewer services is prohibited in the rural and natural resource areas.
- B. Sewer service may be expanded to serve uses in the rural and natural resource areas only if:
  - 1. The facilities are:
    - a. needed to address:
      - i. specific health and safety problems threatening the use of existing structures; or
      - ii. to serve a new school authorized to be located in the RA zone by King County comprehensive plan policies; and
    - b. tightlined; and
  - 2. A finding is made by the utilities technical review committee that no cost-effective alternative technologies are feasible
- C. Decisions on sewer service expansions in rural or resource areas shall be made by King County in the form of approval of a sewer comprehensive plan or approval of an amendment to a sewer comprehensive plan.

An alternative option that would allow the fire station to connect to sewer service would be to expand the Urban Growth Area to include this parcel. CPP Policy DP-17 establishes the circumstances under which Urban Growth Area expansion may occur:

**DP-17** Allow expansion of the Urban Growth Area only if at least one of the following criteria is met:

- a) A countywide analysis determines that the current Urban Growth Area is insufficient in size and additional land is needed to accommodate the housing and employment growth targets, including institutional and other non-residential uses, and there are no other reasonable measures, such as increasing density or rezoning existing urban land, that would avoid the need to expand the Urban Growth Area; or
- b) A proposed expansion of the Urban Growth Area is accompanied by dedication of permanent open space to the King County Open Space System, where the acreage of the proposed open space:
  - 1) Is at least four times the acreage of the land added to the Urban Growth Area;
  - 2) Is contiguous with the Urban Growth Area with at least a portion of the dedicated open space surrounding the proposed Urban Growth Area expansion; and
  - 3) Preserves high quality habitat, critical areas, or unique features that contribute to the band of permanent open space along the edge of the Urban Growth Area; or

- c) The area is currently a King County park being transferred to a city to be maintained as a park in perpetuity or is park land that has been owned by a city since 1994 and is less than thirty acres in size.

Presently, the subject property does not meet any of the criteria in this policy. Additional land is not needed to accommodate housing and employment growth targets as provided in subsection-a, as documented by the most recent Urban Growth Capacity Report.<sup>18</sup> There is no land available that could meet the Four-to-One Program criteria for permanent open space in subsection-b, and the area is not a King County park as allowed in subsection-c. The Comprehensive Plan and K.C.C. also has additional requirements for Four-to-One Program eligibility that the property does not conform with, such as a 20-acre minimum lot size and a requirement that use(s) on the new urban land be limited to residential development.

#### IV. Equity and Social Justice Analysis

Substantive equity and/or social justice issues are not anticipated at this time because this area has a low 2019 Equity Score of 1.67.<sup>19</sup> This score indicates a low presence of priority populations identified in K.C.C. Chapter 2.10 (people of color, people with low incomes, and/or people with limited English proficiency).

#### V. Engagement

Engagement has included communication with City of Black Diamond and Fire District staff, as well as with the office of King County Council District 9 (which this study area is located in). This included sharing and discussing the results of the septic study with all three entities.

Public notice of the evaluation of the land use and zoning for this area was identified in:

- **The Draft Executive Early Concepts Proposals of the 2024 Update** that was issued for public review and comment January 30 through February 24, 2023. Notice of the comment period was provided via the County website, County email distribution lists, social media, and printed notices. The Early Concepts Proposals did not include a specific recommendation for this study, but did identify that the zoning for the property and the vicinity was being evaluated for possible changes. No public comments were received on this item.
- The Executive's draft recommendation for this study in the **Public Review Draft of the 2024 Update** that was issued for public review and comment in June to July 2023. Notice of the comment period was provided via the County website, County email distribution lists, social media, and area-specific newspaper notices. No public comments were received on this item.

### III. Conclusion and Recommendation

#### A. Conclusion

The site does not meet the requirements to allow extension of sewer service to the rural area or for addition to the Urban Growth Area. The current septic system, and the ability to build a new system if needed, meets both current and future plans for operation of the fire station.

<sup>18</sup> Urban Growth Capacity Report [\[LINK\]](#)

<sup>19</sup> Census Viewer (arcgis.com) [\[LINK\]](#). Scores range 1 to 5, with higher scores representing a more diverse, less wealthy population.

**B. Recommendation**

No changes are recommended.



**Carnation Urban Growth Area Exchange  
Area Zoning and Land Use Study  
2024 King County Comprehensive Plan  
December 2023**

**I. Overview**

The 2024 Comprehensive Plan Update Scope of Work<sup>1</sup> directs analysis of potential exchange of Urban Growth Area (UGA) lands in the City of Carnation's Potential Annexation Area for adjacent rural lands, as follows:

**Carnation Swap: Review land use designations and implementing zoning on parcels 2125079009, 2125079002, and the surrounding area; to consider ways to permanently protect this area from urban development, and a potential swap of non-urban land to replace the area permanently protected from urban development.**

**II. Land Use Information**

**A. Parcel and Vicinity Information**

Parcel Number	Property Name/ Ownership	Land Use Designation	Zoning Classification	Development Conditions	Acreage	Present Use
2125079009	Roger Thorson/ Carnation Tree Farm	rx	UR	None	14.84	Single family home
2125079002	Roger Thorson/ Carnation Tree Farm	rx	UR	None	8.73	Vacant

The subject parcels are urban unincorporated areas within the City of Carnation's Potential Annexation Area. The properties total 23.57 acres in size and have a "rx" (UGA for Cities in Rural Area) land use designation and a UR (Urban Reserve) land use classification. There are no property specific zoning conditions on the properties.

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<sup>1</sup> Motion 16142 [\[LINK\]](#)

According to the King County Assessor, parcel 2125079009 has a historic single-detached home on it, built in 1907.<sup>2</sup> The building is home to the historic collection of the Tolt Historical Society.<sup>3</sup> Other buildings are also on the site, including a detached garage, several sheds, and a gazebo. Parcel 2125079002 is shown as having a "vacant" present use; however property photos show a three-story barn on the site.<sup>4</sup> The site has been designated as King County, state, and national historic landmarks<sup>5</sup> The site is also enrolled in the Farm and Agricultural and Public Benefit Rating System (PBRs) current use taxation programs.<sup>6</sup>

Properties to the north and east are within the City of Carnation. To the north, there are single-detached and multifamily homes, as well as industrial and warehouse uses. Across State Route (SR) 203 to the east, there is the Tolt Middle School, Valley Memorial Park, and warehouse and single-detached residential uses.

Properties to the south and west are outside of the UGA and zoned RA-10 (Rural Area, one dwelling unit per 10 acres). These properties are part of King County's Tolt MacDonald Park, which includes a campground, ballfields, hiking and biking trails, and natural areas in a restored floodplain that supports fish habitat.<sup>7</sup> There also are two small UR-zoned properties in the southwest corner of parcel 2125079009, each approximately a half of an acre in size and developed with single-detached homes. Should the subject properties be removed from the UGA, these two properties would likely remain urban for potential future annexation into the City of Carnation.

The Carnation Comprehensive Plan Future Land Use Map<sup>8</sup> has identified the subject parcels as "low intensity commercial." The two parcels in the southwest corner are identified as "medium intensity commercial."

## **B. Infrastructure and Services**

Access to the parcels occurs from both SR 203 and NE 40<sup>th</sup> St, with a private road connecting the two. Parcel 2125079009 has a private septic system; parcel 2125079002 has no wastewater treatment services. There are several public parks close by, including Tolt MacDonald and Valley Memorial Park. The area is served a deviated fixed-route transit shuttle operated by Snoqualmie Valley Transit.

## **C. Environmental Constraints**

Both properties have seismic hazard areas and are Category 2 Critical Aquifer Recharge Areas. The majority (78 percent) of parcel 2125079009 is in the 100-year floodplain, with a portion in the 500-year floodplain. A portion of parcel 2125079002 is in the FEMA floodway, with the majority of the remaining area (78 percent) is in the 100-year floodplain. There is also a stream present on a portion of parcel 2125079002 and near the southern border of parcel 2125079009. The majority (77.92 percent) of parcel 2125079009 has a residential shoreline designation. Almost all (98.9 percent) of parcel 2125079002 is in the shoreline jurisdiction, with 79.11 percent having a residential shoreline designation and 79.79 percent as conservancy shoreline.

<sup>2</sup> eReal Property; King County Department of Assessments for parcel 2125079009 [\[LINK\]](#)

<sup>3</sup> Tolt Historical Society [\[LINK\]](#)

<sup>4</sup> eReal Property; King County Department of Assessments for parcel 2125079002 [\[LINK\]](#)

<sup>5</sup> History – Carnation Tree Farm [\[LINK\]](#); also known as "Hjertoos Farm"

<sup>6</sup> King County Current Use Taxation Programs [\[LINK\]](#)

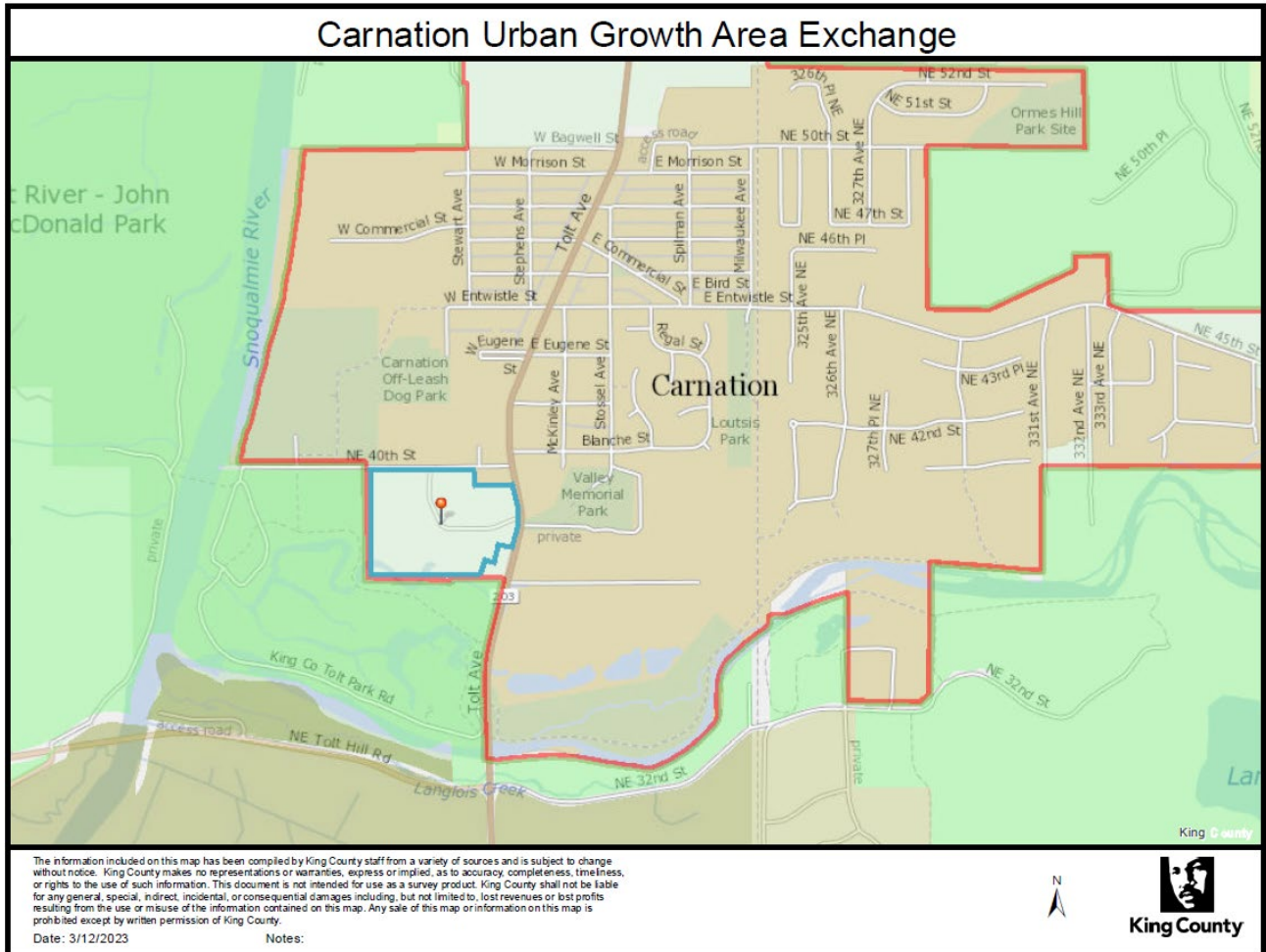
<sup>7</sup> Tolt MacDonald Park & Campground in King County, Washington [\[LINK\]](#)

<sup>8</sup> Carnation Comprehensive Plan, Land Use Element (2018), Figure 3-2, page LU-17 [\[LINK\]](#)

9,10,11 All of the subject properties are in the Wildland Urban Interface, with parcel 2125079009 being both interface and intermix, and parcel 2125079002 being all intermix.<sup>12</sup>

### D. Maps and Photos

#### 1. Vicinity Map<sup>13</sup>



<sup>9</sup> eReal Property; King County Department of Assessments [LINK](#) [LINK](#)

<sup>10</sup> King County Districts and Development Conditions [LINK](#) [LINK](#)

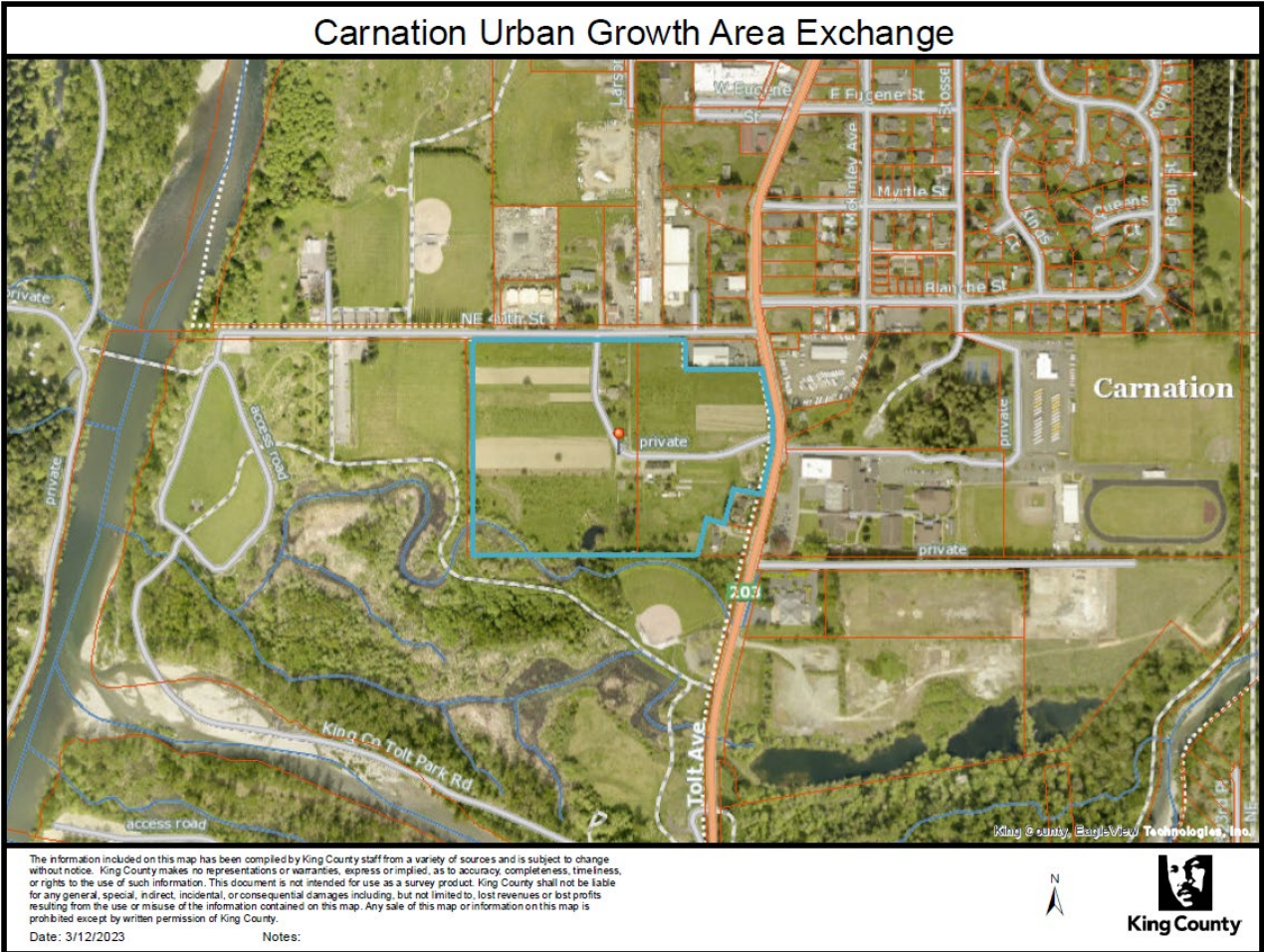
<sup>11</sup> iMap [LINK](#)

<sup>12</sup> WA State's Wildland Urban Interface (arcgis.com) [LINK](#)

<sup>13</sup> iMap

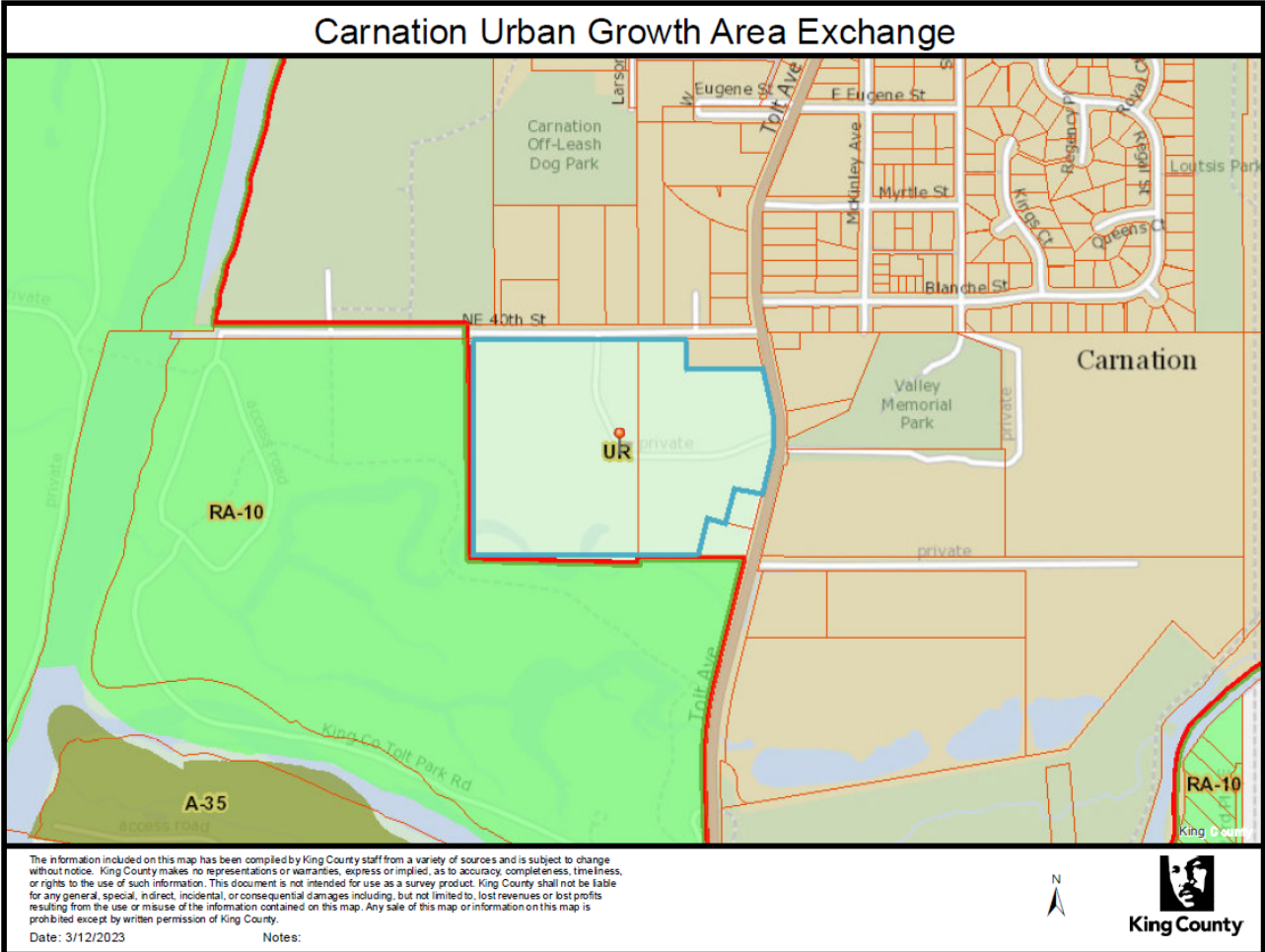


2. Aerial Site Map<sup>14</sup>



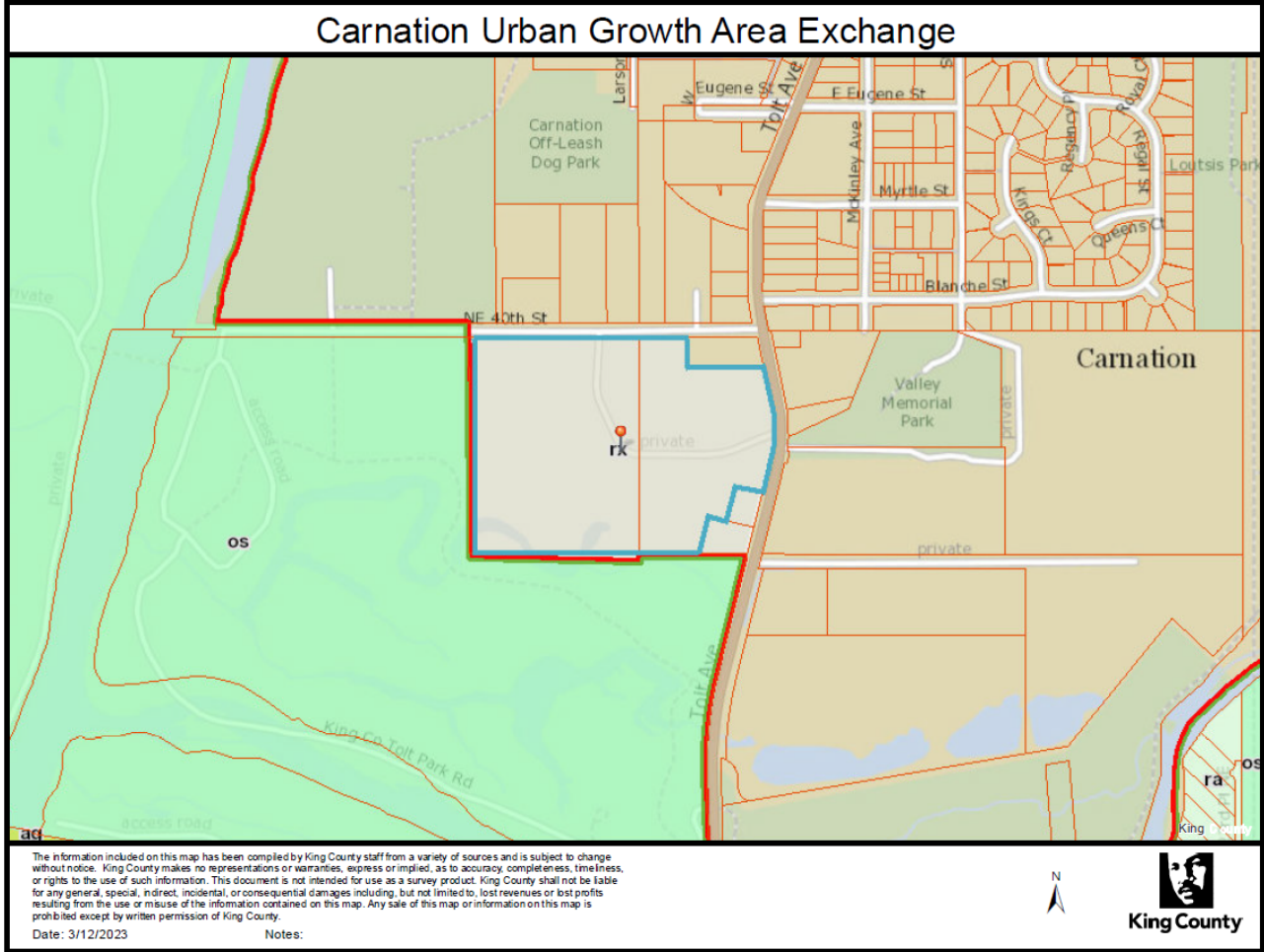
<sup>14</sup> iMap

3. Zoning Map<sup>15</sup>



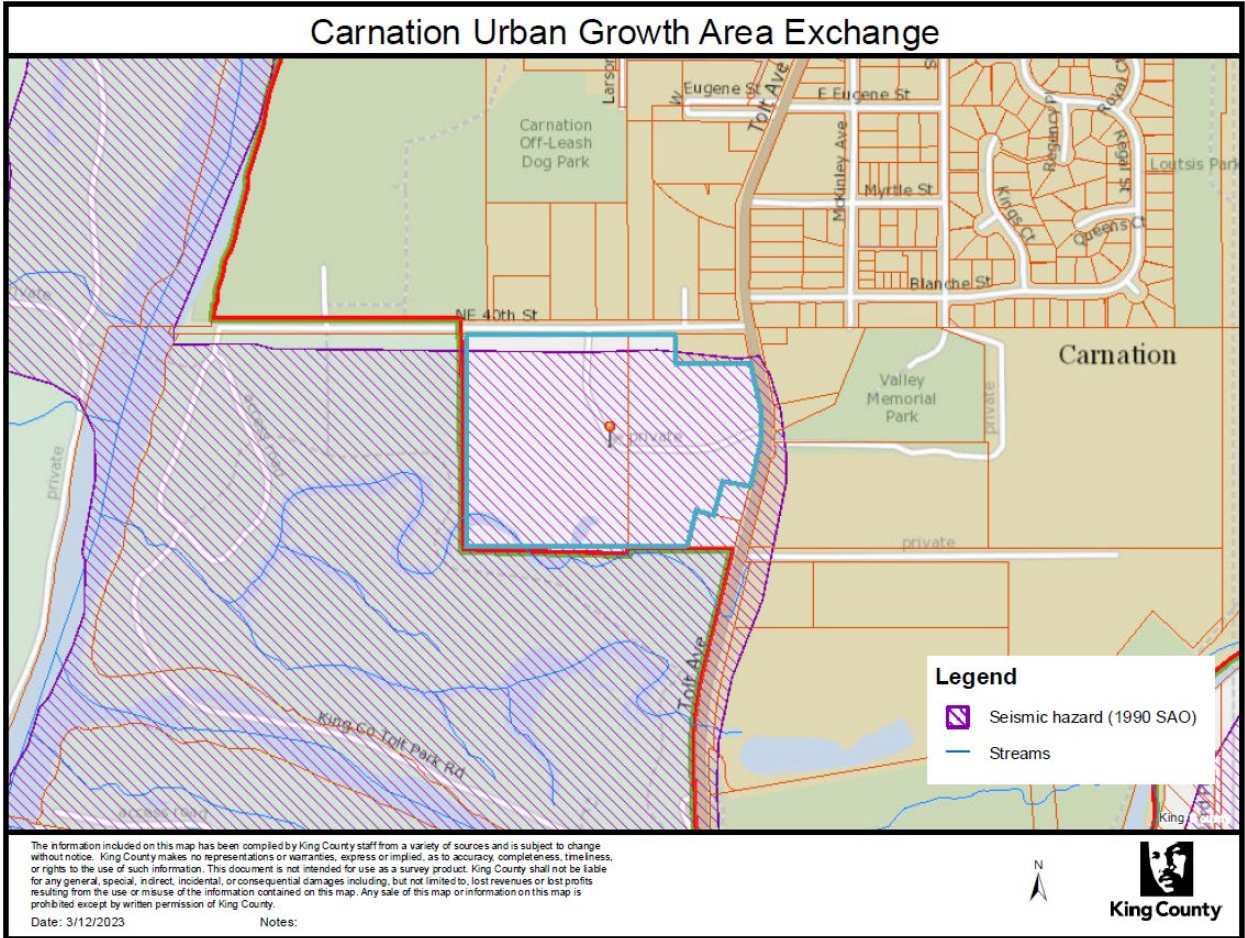
<sup>15</sup> iMap

4. Land Use Map<sup>16</sup>



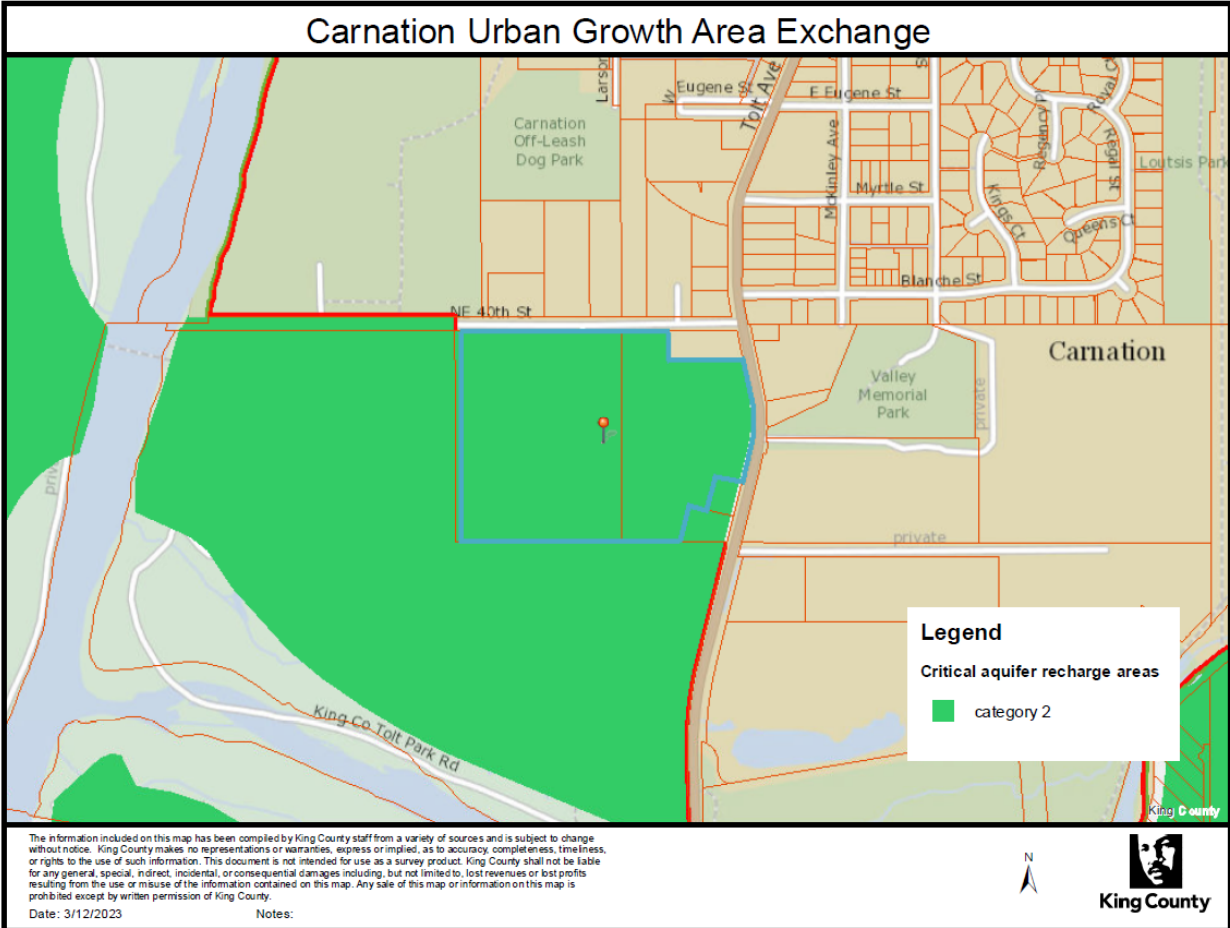
<sup>16</sup> iMap

5. Environmentally Sensitive Areas Map<sup>17</sup>



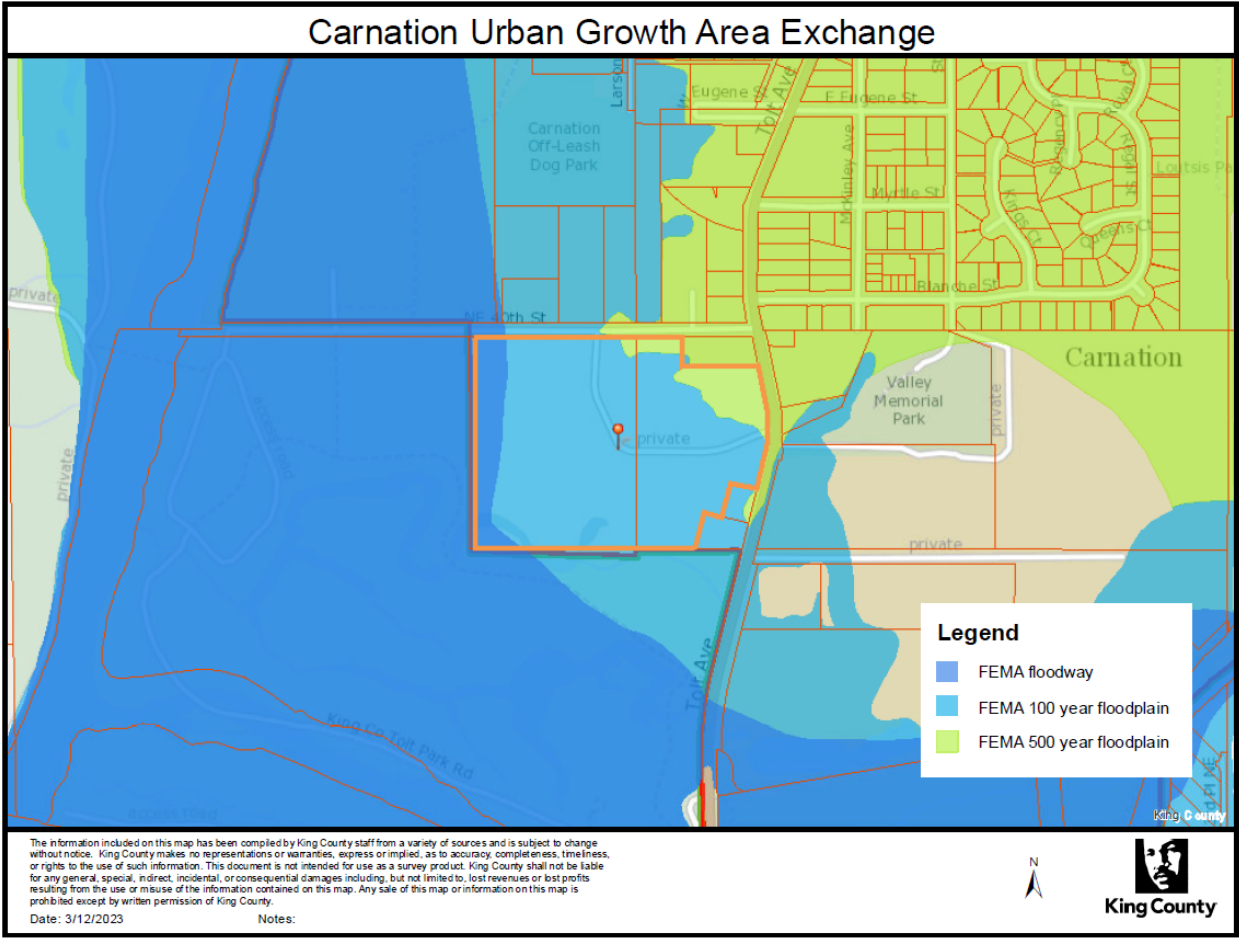
<sup>17</sup> iMap

6. Critical Aquifer Recharge Areas Map<sup>18</sup>



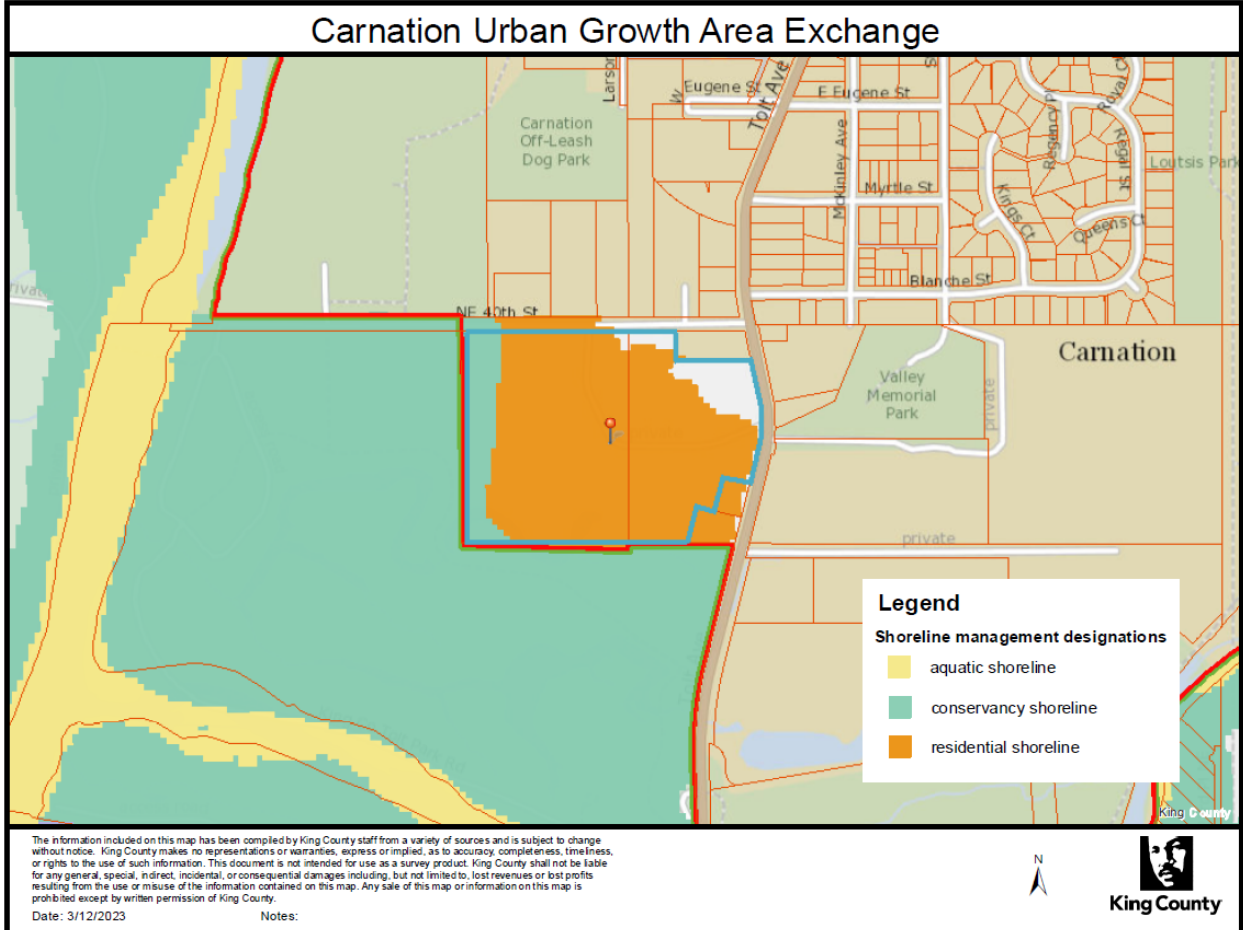
<sup>18</sup> iMap

7. Floodplain Map<sup>19</sup>



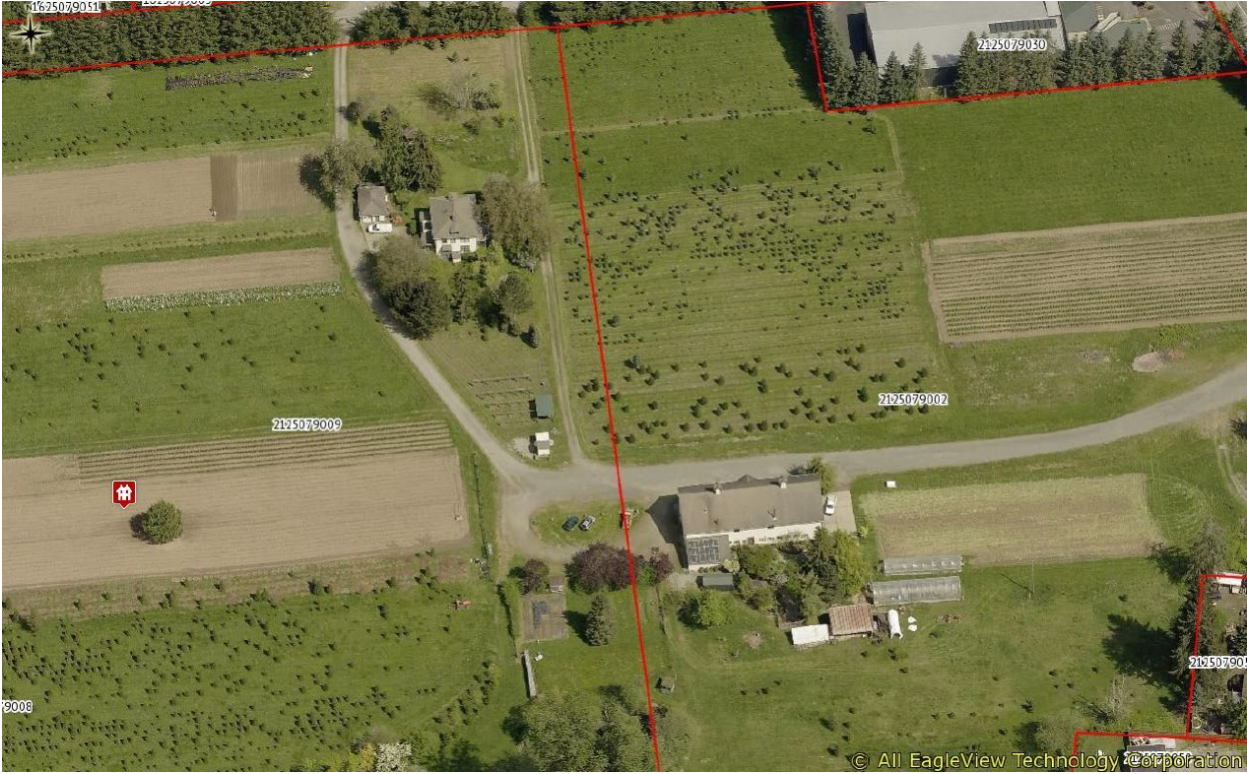
<sup>19</sup> iMap

8. Shoreline Management Designations Map<sup>20</sup>



<sup>20</sup> iMap

9. Photos<sup>21,22</sup>



<sup>21</sup> King County Assessor LOCALSCAPE [LINK](#)  
<sup>22</sup> Google maps street view [LINK](#)





### III. Regulatory Context and Analysis

The Scope of Work directs consideration of ways to permanently protect this area from urban development. The following evaluates three regulatory and one non-regulatory options that would support this outcome.

#### A. Removal from the UGA

One option would be to remove the land from the UGA and designate it as rural. King County Countywide Planning Policy (CPP) DP-19 sets criteria for converting urban land to rural:

**DP-19** Allow redesignation of Urban land currently within the Urban Growth Area to Rural land outside of the Urban Growth Area if the land is not needed to accommodate projected urban growth, is not served by public sewers, is contiguous with the Rural Area, and:

- a) Is not characterized by urban development;
- b) Is currently developed with a low-density lot pattern that cannot be realistically redeveloped at an urban density; or
- c) Is characterized by environmentally sensitive areas making it inappropriate for higher density development.

Based on the findings in the Urban Growth Capacity Report,<sup>23</sup> if the site were removed from the UGA, the projected urban growth countywide would still be able to be achieved. It also is not served by sewer, is contiguous with the Rural Area, and meets both subsection a and subsection c in the "or" list of additional criteria. Therefore, the site could be removed from the UGA under this provision.

#### B. Development Conditions

The site could also be protected from urban development but imposing a property-specific development condition limiting the uses allowed on the site. However, this would not permanently protect the site should it be annexed unless there is a pre-annexation interlocal agreement between the City of Carnation and the County that stipulates this requirement be carried forward by the City post-annexation.

<sup>23</sup> King County Urban Growth Capacity Report [\[LINK\]](#)

### C. UGA Exchange

Another option identified in the Scope of Work includes considering a potential exchange of non-urban land to replace this site if it were to be permanently protected from urban development. Currently, the only "exchange" option would be to 1) protect the urban land using options A, B, or D in this study, and 2) convert compensatory rural and to urban under Countywide Planning Policy (CPP)<sup>24</sup> DP-17. This policy establishes the circumstances under which UGA expansion may occur, with additional conditions for eligible properties in DP-18.

**DP-17** Allow expansion of the Urban Growth Area only if at least one of the following criteria is met:

- a) A countywide analysis determines that the current Urban Growth Area is insufficient in size and additional land is needed to accommodate the housing and employment growth targets, including institutional and other non-residential uses, and there are no other reasonable measures, such as increasing density or rezoning existing urban land, that would avoid the need to expand the Urban Growth Area; or
- b) A proposed expansion of the Urban Growth Area is accompanied by dedication of permanent open space to the King County Open Space System, where the acreage of the proposed open space:
  - 1) Is at least four times the acreage of the land added to the Urban Growth Area;
  - 2) Is contiguous with the Urban Growth Area with at least a portion of the dedicated open space surrounding the proposed Urban Growth Area expansion; and
  - 3) Preserves high quality habitat, critical areas, or unique features that contribute to the band of permanent open space along the edge of the Urban Growth Area; or
- c) The area is currently a King County park being transferred to a city to be maintained as a park in perpetuity or is park land that has been owned by a city since 1994 and is less than thirty acres in size.

The subject properties do not meet any of the criteria in this policy. Additional land is not needed to accommodate housing and employment growth targets as allowed in subsection a), as documented by the most recent Urban Growth Capacity Report. There is no land identified for consideration under the Four-to-One Program criteria for permanent open space dedication per subsection b), and the area is not a King County park as allowed in subsection c). There are additional Comprehensive Plan and King County Code requirements for Four-to-One Program eligibility that the properties do not conform with, such as a 20-acre minimum lot size and a requirement that the use on the new urban land be limited to residential development.

The Washington State Growth Management Act was amended in 2022<sup>25</sup> to provide a new option for local governments to allow for UGA exchanges, where urban land can be removed from the UGA in exchange for adding other, rural land to the UGA. In order for UGA exchanges to be allowed in King County, the CPPs would first need to be amended. The Growth

<sup>24</sup> King County Countywide Planning Policies [\[LINK\]](#)

<sup>25</sup> Engrossed Substitute Senate Bill 5593 [\[LINK\]](#)

Management Planning Council (GMPC) is currently evaluating whether to allow UGA exchanges and is anticipated to make a recommendation in mid-2023. If the GMPC recommends allowing UGA exchanges, amendments to the CPPs would need to be approved by the King County Council and then ratified by the cities in King County. Any such regulatory changes would have to comply with the UGA exchange eligibility requirements in state law; additional criteria could also be added by King County.

State law allows for UGA exchanges if, during a 10-year statutory review of a county comprehensive plan, the county "determines that patterns of development have created pressure in areas that exceed available, developable lands within the urban growth area, the urban growth area or areas may be revised to accommodate identified patterns of development and likely future development pressure for the succeeding 20-year period, if the following requirements are met:

- (i) The revised urban growth area may not result in an increase in the total surface areas of the urban growth area or areas;
- (ii) The areas added to the urban growth area are not or have not been designated as agricultural, forest, or mineral resource lands of long-term commercial significance;
- (iii) Less than 15 percent of the areas added to the urban growth area are critical areas;
- (iv) The areas added to the urban growth areas are suitable for urban growth;
- (v) The transportation element and capital facility plan element have identified the transportation facilities, and public facilities and services needed to serve the urban growth area and the funding to provide the transportation facilities and public facilities and services;
- (vi) The urban growth area is not larger than needed to accommodate the growth planned for the succeeding 20-year planning period and a reasonable land market supply factor;
- (vii) The areas removed from the urban growth area do not include urban growth or urban densities; and
- (viii) The revised urban growth area is contiguous, does not include holes or gaps, and will not increase pressures to urbanize rural or natural resource lands."<sup>26</sup>

If UGA exchanges are eventually allowed in King County, the first threshold that must be met is whether there has been a determination by the County that identifies "patterns of development that are creating pressure in areas that that exceed available, developable lands within the urban growth area." This UGA exchange request does not meet this requirement. The request was initiated in order to preserve a historic agricultural site by moving it out of the UGA; it is not in response to needing to bring rural land into the UGA in order to address pressure for development in areas that exceed available developable urban lands.

If this first threshold were able to be met, there are additional requirements that the rural land proposed for exchange would need to meet in order to be added to the UGA. The City of Carnation identified the following rural parcels for possible exchange, should the Tree Farm properties be removed from the UGA: parcels 2225079034, 2225079012, 2225079027, and 2225079013, as well as possibly 2125079021. However, these properties do not meet the criteria in state law:

- Converting the rural parcels to urban would result in 29.55 new acres in the UGA, or 57.67 acres if the 5<sup>th</sup> parcel (2125079021) is included. This would create a net increase

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<sup>26</sup> RCW 36.70A.130(3) [\[LINK\]](#)

in the total area of the UGA compared to the removal of the 23.57 acres of the tree farm properties. This is inconsistent with the requirement in subsection (i) above.

- Two of the properties (parcels 2225079034 and 2125079021) are located within the Agricultural Production District, which does not meet the requirement in subsection (ii) that the lands not be designated as agricultural lands of long-term commercial significance.
- All five parcels are almost fully encumbered by flood hazard areas, as well as significant channel migration areas, which does not meet the threshold in subsection (iii) that the lands be less than 15 percent encumbered by critical areas.
- The configuration of new urban land would create a notch of rural lands surrounded by urban lands on 3 sides and would only be accessible by crossing rural and resource lands. This would create increased pressure to urbanize surrounding rural and resource lands, which would not meet the criteria in subsection (viii).

The County evaluated other surrounding rural lands for possible eligibility. RA-10 zoned lands northwest of the City, between the Potential Annexation Area and the Snoqualmie River, were deemed ineligible as they are fully encumbered by flood hazards. Lands northeast of the city are ineligible as they are in the Agricultural Production District. RA-10 zoned lands east of the City are also likely ineligible as they are substantively encumbered by steep slopes and associated potential erosion and landslide hazards. RA-10 zoned lands to the southeast were also deemed ineligible as they are overwhelmingly encumbered by flood and channel migration hazards.

#### D. Non-Regulatory Protection

In addition to the existing historic designation and current use taxation program enrollment, other non-regulatory options, also include:

- removing development rights from the property via the Farmland Preservation Program<sup>27</sup> and/or Transfer of Development Rights Program;<sup>28</sup> or
- Purchase of the property by the County and/or private entity for the purpose of permanent conservation.

## **IV. Equity and Social Justice Analysis**

Equity and/or social justice issues are not anticipated at this time because this area has a low 2019 Equity Score of 1.33.<sup>29</sup> This score indicates a low presence of priority populations identified in K.C.C. Chapter 2.10 (people of color, people with low-incomes, and/or people with limited English proficiency).

## **V. Engagement**

Executive staff met with the Carnation City Manager in August and September 2022 to discuss the issue, to better understand the City's interests, and to identify the regulatory requirements under state law. Executive staff also participated in a City Council meeting in September 2022, where the City discussed the issue and supported moving forward with conversations with the County about a potential exchange. In October 2022, the City provided the list of the rural properties that could potentially be exchanged for the Tree Farm parcels. An additional meeting

<sup>27</sup> King County Farmland Preservation Program [\[LINK\]](#)

<sup>28</sup> King County Transfer of Development Rights Program [\[LINK\]](#)

<sup>29</sup> Link to King County Census Viewer (arcgis.com) [\[LINK\]](#) Scores range 1 to 5, with higher scores representing a more diverse, less wealthy population.

also occurred in January 2023 to share initial recommendations of the regulatory analysis, as well as a follow-up meeting in April.

Throughout these conversations, the City has indicated that it does not support removing the site from the UGA without replacement land being added to its UGA. The City has also expressed concern about putting a conservation easement on the site and/or acquiring it or its development rights, as the site is a key part of future development plans for the City.

Conversations with the office of King County Council District 3 (which this study area is located in) also occurred throughout the review and analysis process.

Public notice of the evaluation of the land use and zoning for this area was identified in:

- **The Draft Executive Early Concepts Proposals of the 2024 Update** that was issued for public review and comment January 30 through February 24, 2023. Notice of the comment period was provided via the County website, County email distribution lists, social media, and printed notices. The Early Concepts Proposals stated that the UGA exchange proposal would not meet the criteria under state law and, therefore, no land use or zoning changes were recommended. No public comments were received on this item.
- The Executive's draft recommendation for this study in the **Public Review Draft of the 2024 Update** that was issued for public review and comment in June to July 2023. Notice of the comment period was provided via the County website, County email distribution lists, social media, and area-specific newspaper notices. No public comments were received on this item.

### III. Conclusion and Recommendation

#### A. Conclusion

The City has indicated that it does not support removing the site from the UGA or otherwise preserving it from urban development without replacement land being added to its UGA. Such a change would be dependent on whether the GMPC recommends creating a UGA exchange program as noted above. However, the proposal does not meet the criteria for an UGA exchange under the state law. Should the CPPs be changed to allow for use of such an exchange program in King County, the proposal would not be eligible.

#### B. Recommendation

No changes are recommended.



**Kent Pet Cemetery  
Area Zoning and Land Use Study  
2024 King County Comprehensive Plan  
December 2023**

**I. Overview**

This study considers a "mini Docket"<sup>1</sup> request submitted as part of scoping for the 2024 Update to the King County Comprehensive Plan (2024 Update),<sup>2</sup> related to evaluating the zoning and land use designation on parcel 1522049162 and the surrounding area in urban unincorporated King County near Kent.

**II. Land Use Information**

**A. Parcel and Vicinity Information**

Parcel Number	Property Name/ Ownership	Land Use Designation	Zoning Classification	Development Conditions	Acreage	Present Use
1522049162	Seattle-Tacoma Pet Cemetery	i	I-P	<a href="#">GR-P03</a>	2.12	Pet Cemetery

The subject property is in a small node of urban unincorporated King County near the Interstate 5 (I-5) and State Route 516 (SR-516, also known as Kent-Des Moines Road) interchange, within the City of Kent's "Midway" Potential Annexation Area. The parcel is 2.12 acres in size and has an Industrial (I) zoning classification and Industrial (i) land use designation, with a property-specific development condition (p-suffix) that limits the allowed uses to long-term storage of recreation vehicles (RVs). The parcel was previously zoned Neighborhood Business (NB) before being rezoned to Industrial in 2001.<sup>3</sup>

The Seattle-Tacoma Pet Cemetery is located on the site; the property was purchased in 2012 by the current owner.<sup>4</sup> The current pet cemetery use on the property has been in place since

<sup>1</sup> The Docket is an opportunity for the public to request changes to the Comprehensive Plan, land use designations and zoning classifications, and development regulations. [LINK](#) The Executive utilized a "mini Docket" process during scoping for the 2024 Update, which was an additional opportunity for the public to submit requests for changes in a more expedited manner than the full Docket process.

<sup>2</sup> King County Comprehensive Plan [LINK](#)

<sup>3</sup> Ordinance 14044 [LINK](#)

<sup>4</sup> King County Assessor Property Detail [LINK](#)

1951 and recently received a historic designation from the King County Landmarks Commission.<sup>5</sup>

There are three buildings on the site, as follows, as well as a cell tower:

- 280 square foot office building
- 816 square foot storage building
- 165 square foot shed

We know of no easements or deed restrictions on the site, nor is the property enrolled in any current use taxation programs. However, the historic landmark designation decision does impose the following "protection measures" on the parcel:

"Controls: No feature of significance may be altered, nor may any new construction take place within the designated boundaries, without first obtaining a Certificate of Appropriateness from the Commission pursuant to the provisions of King County Code 20.62.080. The following exclusions are allowed:

1. In-kind maintenance and repair
2. Routine landscape maintenance
3. Emergency repair work
4. New burial plots and marker"<sup>6</sup>

The properties in the vicinity of this site are generally commercially or residentially zoned, except for one industrial zoned property.

The property immediately to the north (parcel 1522049053) is zoned Industrial and is used as a private commercial parking lot for trench and traffic safety equipment. The property has a p-suffix GR-P04<sup>7</sup> that includes conditions intended to protect nearby residential properties from impacts of intensive uses that might be permitted in the Industrial zone, as follows:

- "Excluding all "I" zone uses within the "resource lands" classification of KCC 21A.08.090;
- Excluding any "I" zone uses within the "manufacturing" classification of KCC 21A.08.080 that require a conditional use permit or special use permit;
- Excluding any "I" zone uses within the "regional uses" classification of KCC 21A.08.100 that require a conditional use permit or special use permit; and
- All uses shall be entirely within an enclosed building; provided that outside storage that is accessory to an authorized use, and usual and customary shipping, delivery and parking activities, may be permitted with a solid view-

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<sup>5</sup> King County Landmarks Commission - Findings of Fact and Decision - Seattle-Tacoma Pet Cemetery, September 1, 2022

<sup>6</sup> "Features of significance" are defined in the Findings of Fact and Decision as: "the small office building, historic grave markers, circulation roads/paths, block demarcations and cemetery layout, and all open land area within the designated boundaries (for new construction only.) The existing cell tower and accessory equipment within the fenced area are not features of significance, however, any proposed increase in height or footprint of the cellular facility is considered new construction within the designated boundaries and is subject to the protection measures ..."

<sup>7</sup> GR-P04 [\[LINK\]](#)

obscuring fence and a supplemental landscaped buffer, where needed along the east and south property lines to reduce impacts."

North of the parking lot property is parcel 1522049035, which is zoned Neighborhood Business and has a public storage use. The parcel has a p-suffix GR-P01<sup>8</sup> that limits the property to the mini-storage use, sets roadway access conditions, and establishes thresholds for future changes to the use limitation. All properties further north are on the other side of SR-516, located within Kent city limits, zoned MCR (midway commercial residential), and mostly publicly owned by either the City of Kent or the City of Seattle (primarily encompassing a landfill and natural areas).

The property immediately to the south (parcel 8075400550) is zoned Neighborhood Business and has a convenience store and a duplex on the site. South of that property is parcel 8075400560, which is zoned R-12 (residential, 12 homes per acre) and has a duplex and a triplex on the site.

Parcels east and further southeast of the site are zoned R-4 (residential, four homes per acre). Parcels to the west are located within Kent city limits, with CC (community commercial) zoning. Parcels to the southwest are also located within Kent city limits, with SR-6 (single family, six homes per acre) zoning.

## **B. Infrastructure and Services**

The site is served by public water and sewer via the Highline Water District and City of Kent, respectively. South King Fire and Rescue provides fire protection services.

The parcel is an unincorporated area island that is only accessible by crossing through the City of Kent. The site fronts Military Rd S on the east, which is the primary vehicle access to the site. Access is also available to the west via 38<sup>th</sup> Ave S but is gated.

The closest transit access is at the Kent-Des Moines Park & Ride approximately 1/4 of a mile away, which is served by King County Metro routes 162, 165, 190, 193, 197, and Sound Transit route 574. Approximately 1/2 of a mile away, a new Sound Transit Kent-Des Moines light rail station is anticipated to open in 2024, which is planned to include transit-oriented development.

The closest recreation facilities are Grand View Park, approximately 1/2 of a mile to the north and the Green River Trail, approximately 1/2 of a mile to the east.

The parcel is approximately 1/4 of a mile southeast of the I-5 and SR-516 interchange. The interchange is currently undergoing improvements as part of the Washington State Department of Transportation's "SR-509, I-5 to 24th Avenue South – Expressway Project (Stage 1b)" project.<sup>9</sup> This is a portion of a larger "SR-509 Completion Project", which will extend State Route 509 (SR-509) from where it currently ends by Sea-Tac International Airport to I-5. Stage 1b will occur between 2021 and 2025 and includes improvements to the I-5 and SR-516 interchange, creating an I-5 undercrossing at Veterans Drive (north of the interchange) and wider sidewalks and a shared use path at the interchange to support connections to the future light rail station. The planned interchange improvements are not expected to have direct

<sup>8</sup> GR-P01 [\[LINK\]](#)

<sup>9</sup> Link to SR 509, I-5 to 24th Avenue South – Expressway Project [\[LINK\]](#)



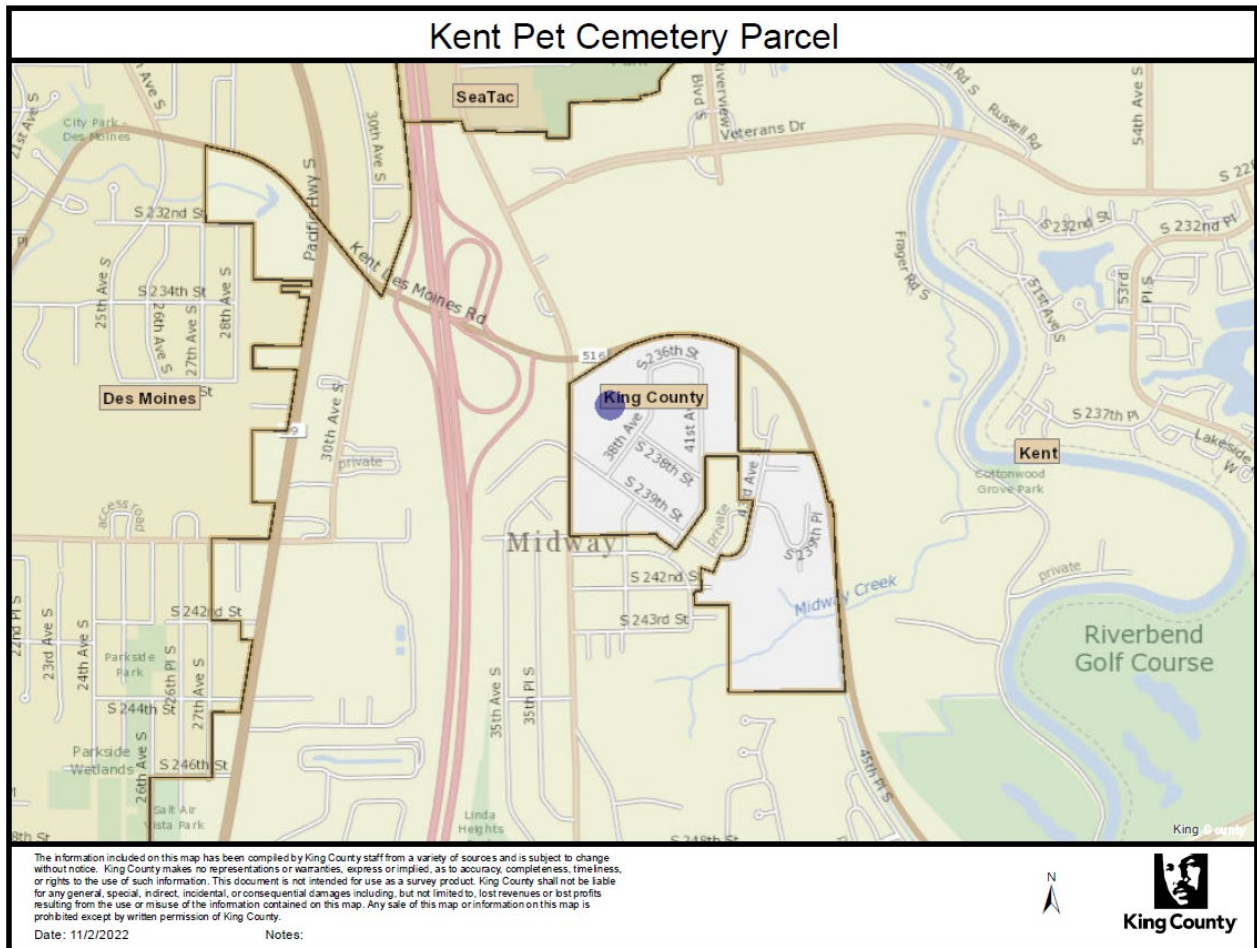
impacts to the pet cemetery property, though it might increase development pressure in the vicinity.

### C. Environmental Constraints

The site is relatively flat, and there no known environmental constraints on the site or in the immediate vicinity. The Green River is nearby, but the study area is outside of the associated mapped flood hazard areas.

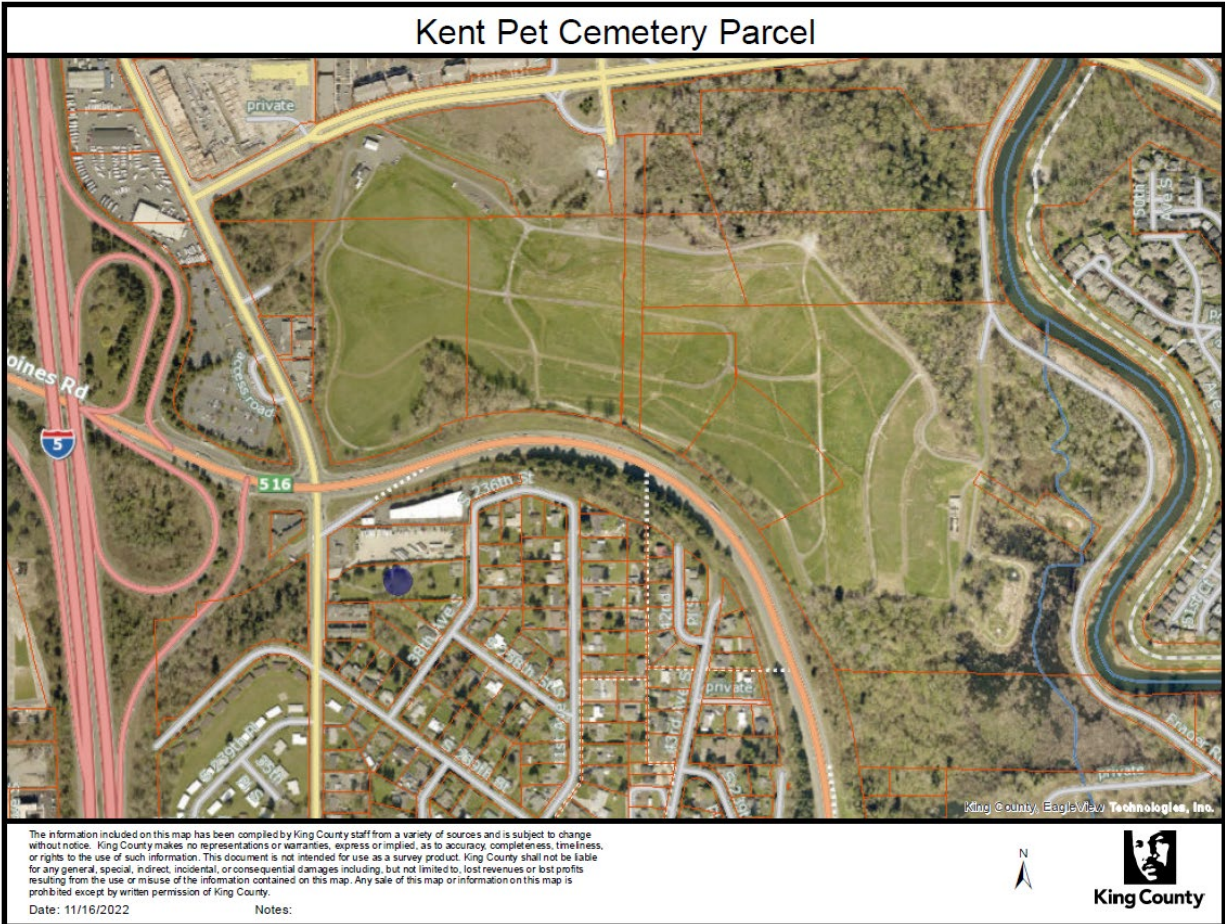
### D. Maps and Photos

#### 1. Vicinity Map<sup>10</sup>



<sup>10</sup> iMap [LINK](#)

2. Vicinity Aerial Map<sup>11</sup>



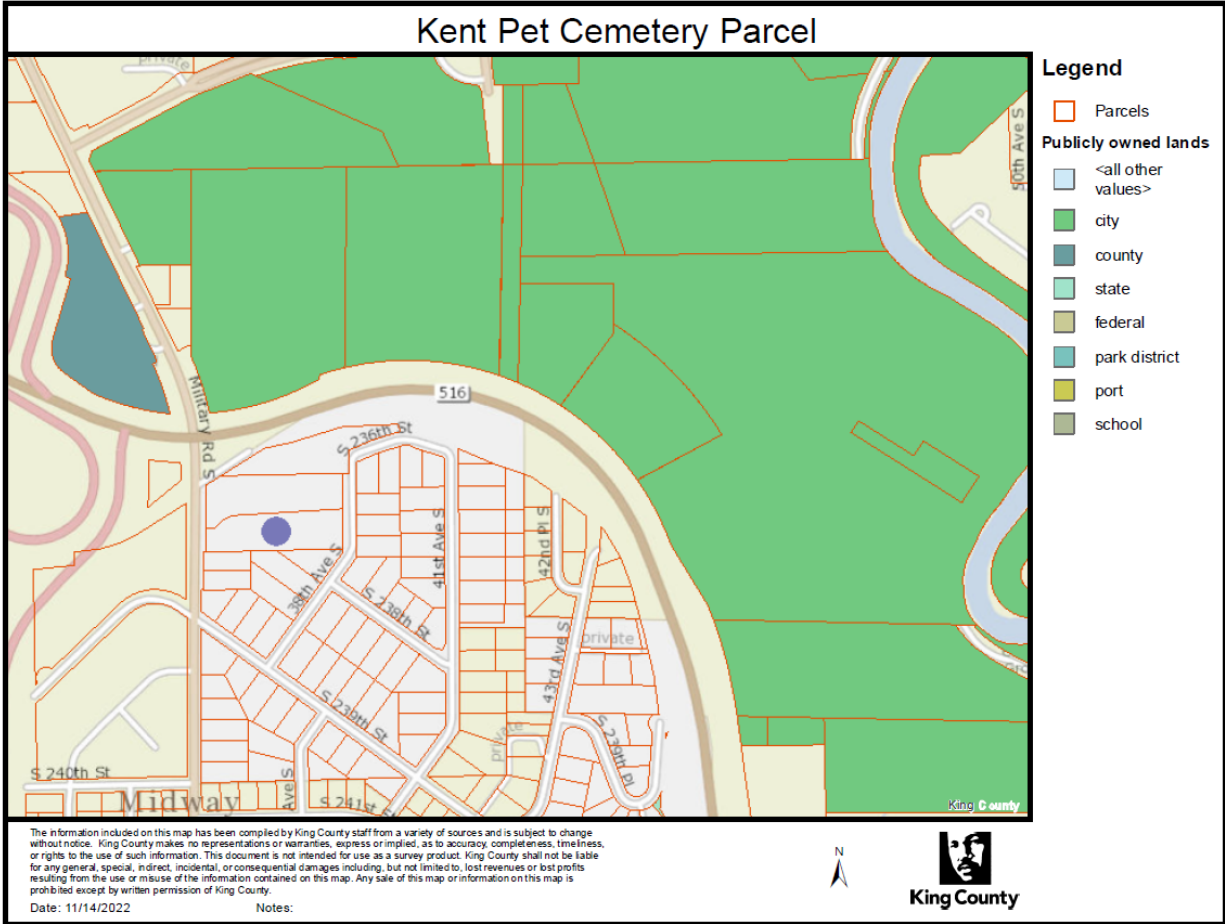
The information included on this map has been compiled by King County staff from a variety of sources and is subject to change without notice. King County makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. This document is not intended for use as a survey product. King County shall not be liable for any general, special, indirect, incidental, or consequential damages including, but not limited to, lost revenues or lost profits resulting from the use or misuse of the information contained on this map. Any sale of this map or information on this map is prohibited except by written permission of King County.

Date: 11/16/2022

Notes:

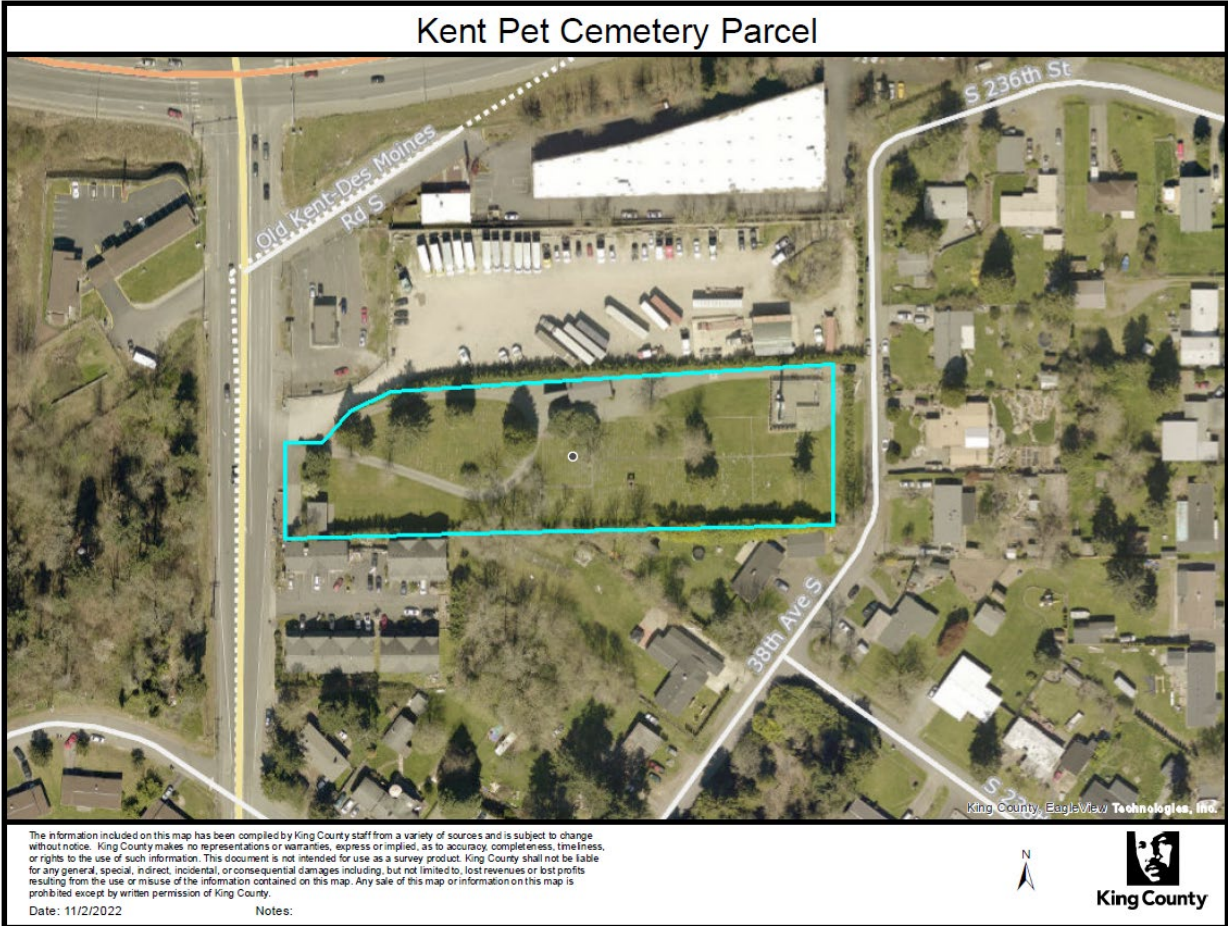
<sup>11</sup> iMap

3. Properties in Public Ownership Map<sup>12</sup>



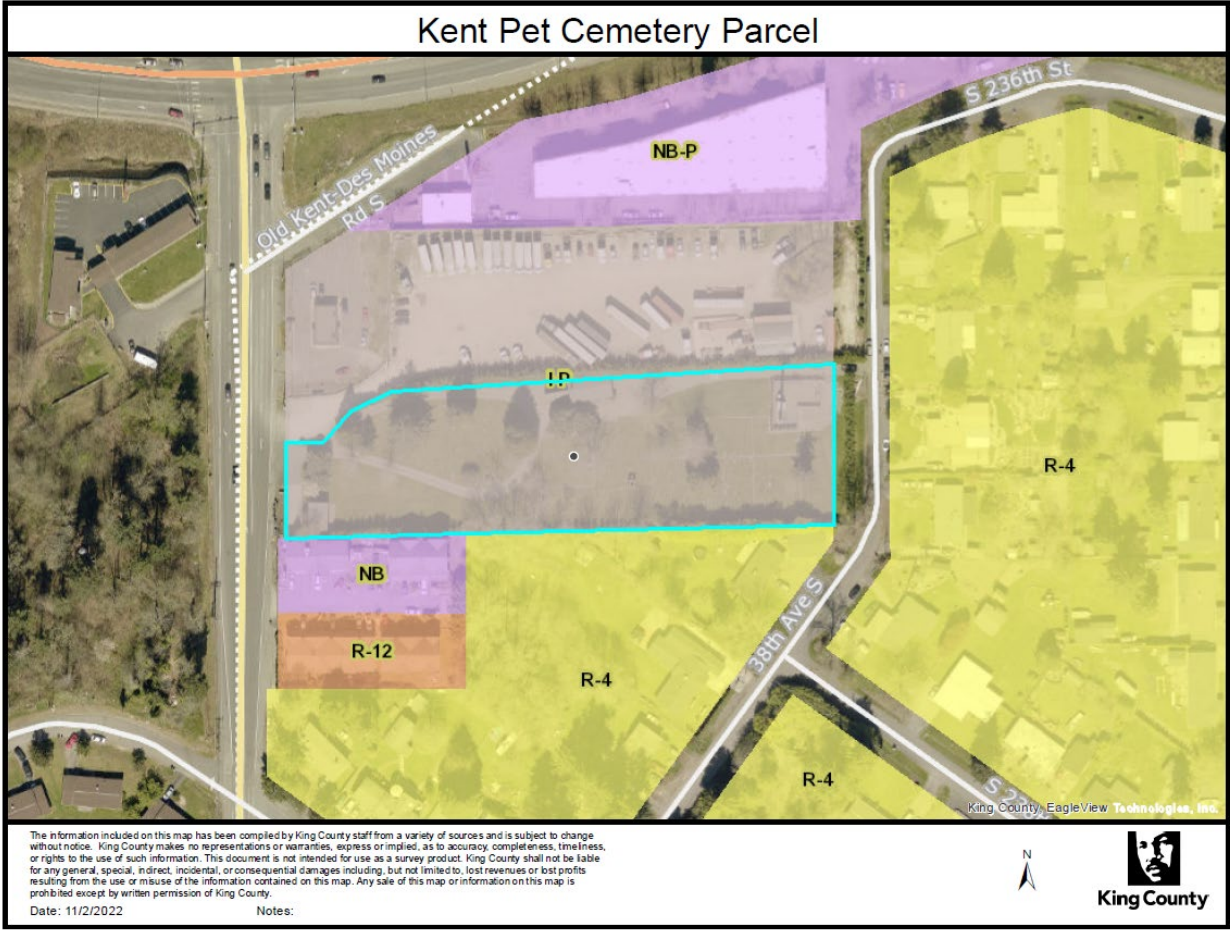
<sup>12</sup> iMap

4. Site Aerial Map<sup>13</sup>



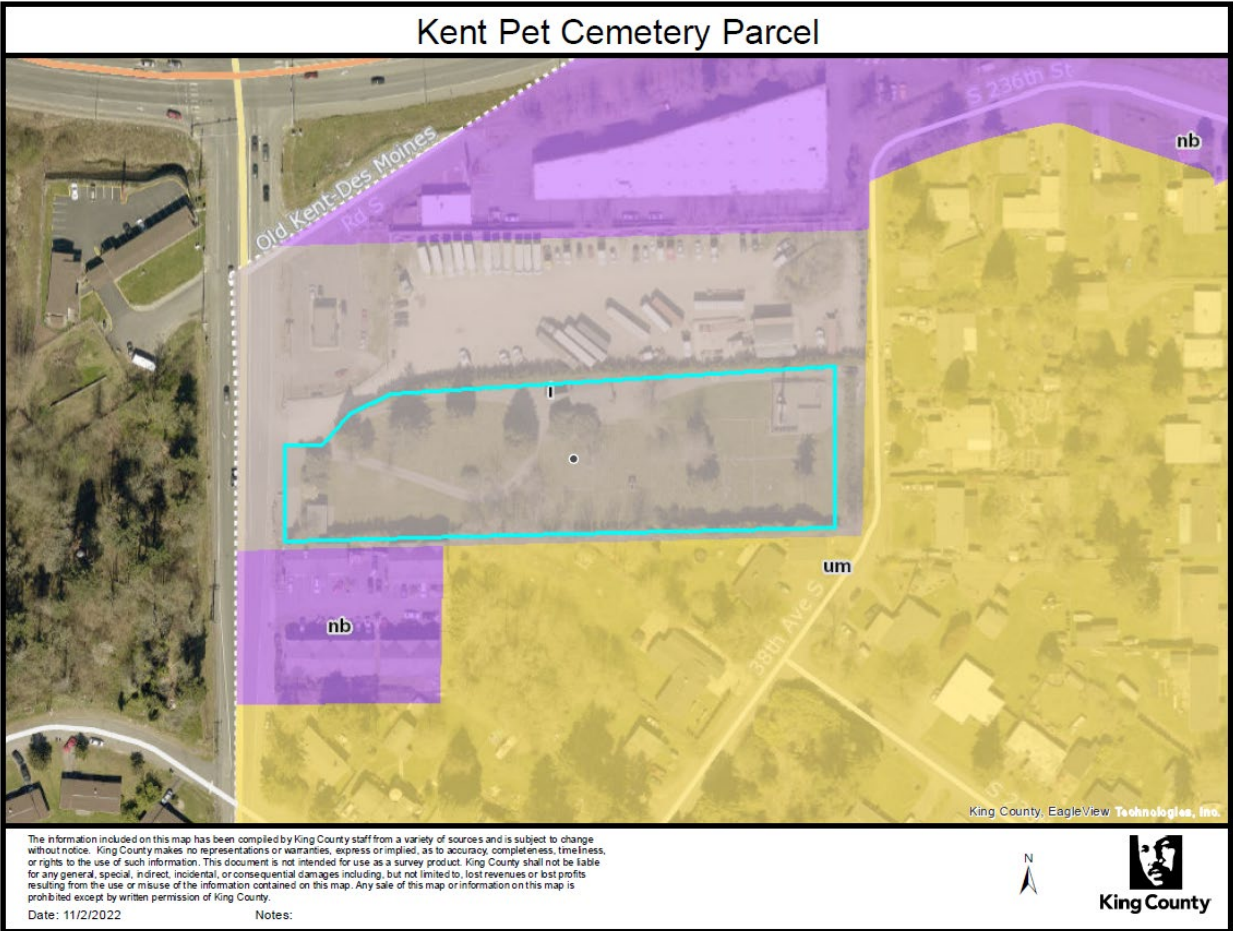
<sup>13</sup> iMap

5. Zoning Map<sup>14</sup>



<sup>14</sup> iMap

6. Land Use Map<sup>15</sup>



<sup>15</sup> iMap

7. Photos<sup>16</sup>



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<sup>16</sup> King County Assessor

### III. Regulatory Context and Analysis

The County generally zones properties based on long-range planning goals for the area and the intended purposes of the zone, consistent with direction in the Comprehensive Plan and the King County Code. Possible zoning changes considered via an Area Zoning and Land Use Study are evaluated in the context of the overall study area and are typically not imposed on individual properties in response to specific current or desired uses, however that may be taken into consideration, especially for historically designated uses.

The pet cemetery on this site includes a pet cemetery and a cell tower. King County Code establishes the zones in which each of these uses are allowed. Excerpts from the code are provided below, with color coding for clarity. The following summary and analysis are not a formal code interpretation provided for under K.C.C. Chapter 2.100 and do not guarantee permit approval nor legal conforming or nonconforming status for any of the uses.

- Green = the use is allowed in that zone and is likely applicable for this site
- Yellow = the use is allowed, at least in part, in that zone but is likely not applicable for this site
- Red = the use is not allowed in that zone
- Grey = regardless of the use, the zoning is not applicable for this site

#### A. Cemetery, columbarium, and crematory zoning allowances

##### K.C.C. 21A.08.050 General services land uses. *(excerpt; emphasis added)*

###### A. General services land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
IC#	SPECIFIC LAND USE	A	F	M		RA	UR	R1-8	R12-48	NB	CB	RB	O
7261	Funeral Home/Crematory					C4	C4	C4	P	P	P	P	P
*	Cemetery, Columbarium or Mausoleum				P24 C5 and 31	P24 C5	P24 C5	P24 C5	P24	P24	P24 C5	P24	P24

###### B. Development conditions.

4. Only as accessory to a cemetery, and prohibited from the UR zone only if the property is located within a designated unincorporated Rural Town. *(note: this part in grey is likely not applicable to this site)*

5. Structures shall maintain a minimum distance of one hundred feet from property lines adjoining rural area and residential zones.

24. Limited to columbariums accessory to a church, but required landscaping and parking shall not be reduced.



31. Subject to review and approval of conditions to comply with trail corridor provisions of K.C.C. chapter 21A.14 when located in an RA zone. *(note: this part in grey is likely not applicable to this site)*

Per the zoning code excerpts above, cemeteries, columbariums, and crematories are not allowed in the Industrial (I) zone. This means those uses on this site would likely be considered legal nonconforming uses under the current zoning.

There has been general public interest in rezoning the property to Neighborhood Business (NB), given that the property had NB zoning prior to 2001 and that there is NB zoning on two nearby unincorporated parcels. In the NB zone, a "cemetery" use is only allowed as a columbarium (i.e., no burial plots in the ground) and only if there is a church on site; neither of these conditions applies here. Crematories are also not allowed. This means that if the property were to be rezoned to NB, the current uses would likely continue to be nonconforming, as is the case with the current Industrial zoning. The same use conditions and nonconformance would apply under the Office (O) zone as well.

Given the nonconformance issues with the NB, I and O zones, other zones to consider include urban residential (UR, R-1 through R-48). These zones allow cemetery, columbarium, and crematory uses with a conditional use permit as long as any structures maintain a 100-foot distance from any adjacent urban residential zoned properties. This does not appear to be an issue with the current configuration of the site but would likely need to be kept in mind if any structures are added in the future near the urban residential (R-4) zoned properties south or east of the site. The use could likely be allowed outright if it was a columbarium with an on-site church, but the site does not appear to meet this condition, so a conditional use permit would likely be required to come into full conformance.

The Rural Area (RA), Community Business (CB), and Regional Business (RB) zones are not appropriate in this case, as the property does not appear to meet the underlying thresholds in the Comprehensive Plan and K.C.C. Chapter 21A.04 as to where those zones can be applied.

The zoning of other cemeteries in unincorporated urban King County was analyzed as part of this study, based on a survey of cemeteries completed by the Historic Preservation Program in 2010. The survey identified two cemeteries in the Potential Annexation Areas for Carnation and Duvall; however, because those are Cities in the Rural Area, they have different zoning considerations not applicable to this site within the contiguous Urban Growth Area. The survey identified another urban unincorporated cemetery near Kent with urban residential R-1 zoning.

## B. Cell tower zoning allowances

Under the definitions in K.C.C. 21A.06.210 and 21A.06.215, cell towers are minor communication facilities. K.C.C. 21A.08.100.B.17. establishes that minor communications facilities are regulated under K.C.C. Chapter 21A.27. Per K.C.C. 21A.27.020 and 21A.27.030, new cell towers are an allowed use in all zones, varying by permitted or conditional use depending on the height and setbacks of the tower. Antennae are a permitted use in all zones. K.C.C. 21A.27.030 establishes that different standards apply to "transmission support structures that are being modified or replaced pursuant to the provisions of K.C.C. 21A.27.090 or replace an existing transmission support structure," which are generally a permitted use under K.C.C. 21A.27.090. Additionally, U.S. Federal Communications Commission rules preempt many local regulations on personal wireless service facilities. Under 47 U.S.C. 1455 Sec. 6409 and 47

C.F.R. 17 § 1.6100, the mounting, installation, or modification of transmission equipment on existing support structures, including cell towers, that does not substantially change the physical dimensions of the tower cannot be prohibited. Given that the cell tower is already constructed, any changes to the site's zoning classification or land use designation are unlikely to impact the cell tower use.

### C. Nonconforming uses

K.C.C. Chapter 21A.32 includes standards for nonconforming uses, such as setting limits on expansions, structures, or site improvements. A key limitation of nonconformance is a 10 percent limit on expansions; this may be exceeded with a conditional use permit. A conditional use permit for expanding a nonconforming use (such as for the cemetery uses if the site is zoned **Industrial** or **Neighborhood Business**) is sometimes more challenging than a conditional use permit for an allowed use (such as potentially for the cemetery uses if the site is zoned **urban residential**).

Generally, a nonconforming use is no longer allowed if the use is discontinued for longer than 12 months. However, such a use could be reestablished if sufficient documentation is provided that shows that there was no intent to abandon the use and efforts were made to reestablish the use within 12 months that the use was discontinued, such as applying for state or county permit approvals. As long as remains are still on the site, the cemetery and columbarium uses would likely still be considered an active use. It would only be considered discontinued if remains are removed from the site for longer than 12 months.

Crematories are defined and regulated in the code separately from cemeteries and columbariums. Therefore, if the site is zoned in a manner that might make the crematory a nonconforming use, and if the cremation services were to stop for a period longer than 12 months without efforts to reestablish, then the crematory use could be considered discontinued and no longer allowed; this would likely be the case even if the nonconforming cemetery and columbarium uses was still considered active.

### D. GR-P03 P-Suffix Condition

The property currently has a p-suffix condition, GR-P03, that limits allowed uses to long-term storage of RVs. This condition was imposed in 2000 when the parcel (1522049162) was part of the parcel to the north (1522049053). When Parcel 1522049053 was subdivided around that same time, the p-suffix was carried forward on both parcels. In 2009, a rezone was approved that removed the p-suffix from Parcel 1522049053; there was no commensurate change to Parcel 1522049162 and the condition still remains on the property. Given the historic designation of the cemetery on Parcel 1522049162, the condition limiting the property to RV storage is inconsistent with the requirements to protect the cemetery use.

## IV. Equity and Social Justice Analysis

This area has a moderate 2019 Equity Score of 3.33 (more diverse, less wealthy).<sup>17</sup> This score indicates a moderately higher presence of priority populations identified in K.C.C. Chapter 2.10 (people of color, people with low incomes, and/or people with limited English proficiency).

<sup>17</sup> King County Census Viewer (arcgis) [\[LINK\]](#) Scores range 1 to 5, with higher scores representing a more diverse, less wealthy population.

Given the historic landmark designation and the existing cell tower, any potential zoning or land use changes are not expected to substantively affect the future on-the-ground land uses on the property and, thus, are not anticipated to have equity impacts in the area.

## V. Engagement

Executive staff have discussed this study and possible land use and zoning changes extensively with the pet cemetery property owners. During those discussions, the property owners stated that they would like to maintain the existing Industrial zoning.

The King County Historic Preservation Program was also consulted, given the historic landmark designation on the site. Program staff are supportive of applying zoning classifications that would best support the historic use without increasing redevelopment pressure. Within that context, program staff expressed that the industrial zone would be the most concerning, and the residential zone would be the most consistent with the cemetery and crematory use.

Per Comprehensive Plan Policy U-126, in January 2023 Executive staff contacted the City of Kent about the review of the zoning and land use designations on this site, and the potential for changes. City representatives shared that Kent has not established pre-annexation land use or zoning for the property and took a neutral position on any changes. Once a recommendation is issued in the Public Review Draft, the County will reach out to the City to confirm their position.

At the time the Public Review Draft is issued, the County will also contact South King County Fire and Rescue and the Highline Water District for input on potential zoning and land use changes.

The office of King County Council District 5 (which this study area is located in) was consulted and kept informed throughout the development of this report.

Public notice of the evaluation of the land use and zoning for this area was identified:

- **Draft Executive Early Concepts Proposals of the 2024 Update** issued for public review and comment January 30 through February 24, 2023. Notice of the comment period was provided via the County website, County email distribution lists, social media, and printed notices. The Early Concepts Proposals did not include a specific recommendation for this study but did identify that the zoning for the property and the surrounding area were being evaluated for possible changes. Three public comments were received on this item: one supported removing the pet cemetery; one supported conservation of the cemetery; and one from the property owner supporting retention of the current industrial zoning and land use designation of the property.
- The Executive's draft recommendation in this study, as well as an associated draft implementing land use and zoning map amendment, in the **Public Review Draft of the 2024 Update** issued for public review and comment in June to July 2023. Notice of the comment period was provided via the County website, County email distribution lists, social media, and area-specific newspaper notices. One public comment was received from a representative of the property owner requesting that the County purchase the property.

Executive staff held meetings and had phone calls and email exchanges with community members advocating for zoning and land use changes throughout the process. The "mini Docket" request that initiated this study was submitted by these advocates.

### **III. Conclusion and Recommendation**

#### **A. Conclusion**

The current cemetery uses on the property are likely to continue to be nonconforming uses should the current industrial land use and zoning be retained. Urban residential land use and zoning would allow the uses to be conforming; this would also support the historic designation and be consistent with zoning on another cemetery in the urban unincorporated area. Any potential changes to land use or zoning are unlikely to impact the cell tower use. The GR-P03 p-suffix condition is inconsistent with the historic designation.

#### **B. Recommendation**

Based on the analysis in this study, the following changes are recommended:

1. Change the land use designation from "I" (Industrial) to "ul" (Urban Residential, Low);
2. Change the zoning classification from I (Industrial) to R-1 (Urban Residential, one dwelling unit per acre); and
3. Remove the GR-P03 p-suffix condition from the property and repeal it from the zoning atlas.



**King County**

**Maple Valley Industrial  
Area Zoning and Land Use Study  
2024 King County Comprehensive Plan  
December 2023**

**I. Overview**

The 2024 Comprehensive Plan Scope of Work<sup>1</sup> directs analysis of land use and zoning of an area located north of the City of Maple Valley, as follows:

**Review land use designations and implementing zoning on parcels 1622069091, 1522069034, and 1522069036 and the surrounding area, and consider changes that would facilitate development of this area, including modifying the land use designation and/or implementing zoning, and/or whether to revise or eliminate the development conditions.**

This site was the subject of a previous Area Zoning Study in the 2016 Comprehensive Plan Update,<sup>2</sup> which evaluated the following: “Review land use designations and implementing zoning on parcels 1622069091, 1522069034, and 1522069036 and the surrounding area, and consider whether to change designation and/or zoning, including whether to revise or eliminate the development conditions placed by Ordinance 12824 in 1997.” At that time, the area zoning study recommended to make no change and to review the stie further as part of a future Comprehensive plan update due to its eligibility for removal from the Urban Growth Area (UGA).

**II. Land Use Information**

**A. Parcel and Vicinity Information**

Parcel Number	Property Name/ Ownership	Land Use Designation	Zoning Classification	Property Specific Condition(s)	Acreage	Present Use
1622069091	R&H Mining LLC	Industrial	I-P	TR-P17	5.63	Vacant
1522069034	R&H Mining LLC	Industrial	I-P	TR-P17	1.66	Vacant
1522069036	R&H Mining LLC	Industrial	I-P	TR-P17	5.63	Vacant

The site is approximately 3 acres in size and has an "I" (Industrial) land use designation and I (Industrial) zoning classification. It is within the UGA adjacent to the City of Maple Valley. The

<sup>1</sup> Motion 16142 [\[LINK\]](#)

<sup>2</sup> Area Zoning Study #15 [\[LINK\]](#)

City has not affiliated this area as part of its Potential Annexation Area (PAA), nor has any future land use designation been proposed in the City's Comprehensive Plan. The City is currently updating its Comprehensive Plan. As of the drafting of this study, there is no indication that City is considering annexation or planning for the study area.

The study area includes Rural Area and Natural Resource Lands surrounding the site on three sides. The western side of the site is adjacent to a 5.2-acre parcel, zoned RA-5 (Rural Area, one home per five acres), and developed with a single-family residence. North of the site is a 14.2-acre property that is zoned A-10 (Agricultural) and used by the South Seattle Saddle Club as an equestrian facility. The properties to the east are zoned RA-5, average approximately 1.6 acres in size, and are developed with single-family residences.

The site is relatively flat with topography generally falling from southeast to northwest. There are no existing structures on site; however, a chain-link fence surrounds the site and light poles placed throughout the site. The site sits elevated (due to past filling) from the roadways to the east and north and vegetation for most of fenced area consists of grasses. A shallow swale conveys onsite drainage from the southeast to a sediment pond located in the northwest part of the site. The Cedar River Trail Right-of-Way (ROW) borders the southwest portion of the site.

The site is topographically and physically separated from the City due to slopes, the City of Seattle Cedar River Water Transmission Line ROW and the King County Cedar River Trail ROW. Rural infrastructure, rural residential, and agricultural uses and character to the north, east, and west, and the presence of environmentally sensitive areas in the vicinity pose challenges for potential annexation and/or urban level development.

Historically, this site was part of the Maple Valley gravel pit located to the south. A couple of code enforcement cases and remediation permits related to clearing and grading were undertaken for the site between 2001- 2003. Most of the site was filled and graded and was proposed to be developed as an approximately 490-stall recreational vehicle (RV) storage lot when the last permit application B03M0163 permit was cancelled in 2003. Comments from the surrounding neighborhood area indicated opposition to impacts on the surrounding rural area at that time.

In 1997, Ordinance 12824 established updated zoning classifications across the County and zoned the three parcels Industrial with a property specific (P-suffix) Development Condition, TR-P17.<sup>3</sup> The Ordinance became effective in August 1997, one month before the City of Maple Valley incorporated. The City did not include the area in its incorporation. TR-P17 reads as follows:

R & H Partnership Urban Reserve Study (Source: 1995 King County Comprehensive Plan Amendment Package: Ordinance 12061, Amendment 72)

1. Future industrial development shall be limited to those that do not require a conditional use permit; and
2. A limited scope Master Drainage Plan shall be completed by the developer to address groundwater concerns.

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<sup>3</sup> TR-P17 [\[LINK\]](#)

## B. Infrastructure and Services

The site is within the Cedar River Water District service area; however, no fire hydrants appear along the access route. The site is also within the Soos Creek Sewer District Boundaries, however, is not currently served by sewer, nor has any septic system approvals. The rural residential sites to the north, east, and west are served by on-site septic systems.

Two access points to the site come from 228<sup>th</sup> Ave SE and SE 230<sup>th</sup> Place. These roads connect with lower Witte Road via SE 228<sup>th</sup> Street, just north of the Cedar River Trail crossing. This crossing poses the first access problem with only an approximately 12-foot clearance – it will not provide suitable truck or fire apparatus access. See maps and photos below for roadway geometric conditions. Witte Road is classified as a ‘neighborhood collector’ and SE 228<sup>th</sup> street, 228<sup>th</sup> Avenue SE and SE 230<sup>th</sup> Place are designated ‘minor access’ roadways. These roads are rural in nature, ranging from 18-24 feet of pavement with varying shoulder and no curbs, gutters, or sidewalks.

The access roads do not meet fire access standards or current King County Road Standards. Accommodating some types industrial uses generating higher levels of traffic and certain types of trucks will be a challenge for this site and the existing access. Significant on-site and off-site improvements would be necessary for urban level industrial development, and even rural level industrial development would necessitate improvements.

## C. Environmental Constraints

The parcels are located in mapped seismic hazard and as a Category I Critical Aquifer Recharge Area (CARA). CARA I is the most restrictive CARA designation and limits certain land uses, as prescribed in King County Code (K.C.C.)<sup>4</sup> 21A.24.316. This further limits uses beyond those in TR-P17. The CARA designation will pose additional difficulties for drainage / surface water compliance of large-scale industrial uses.

Parcel 1522069036 has a small area of mapped landslide hazard adjacent to the County trail property, and an area of steep slopes in the southeastern corner of the site.

Parcel 1522069036 has wetland in the eastern portion of the site. The wetland was rated Class 2 with a 50-foot buffer under the Sensitive Areas Code. A mitigation plan was required in 2002 for clearing part of the buffer. The mitigation plantings were implemented, and the financial guarantee released a few years later. The critical areas regulations in the current code will likely require a larger buffer with a different wetland rating.

On the far side of the County trail from these parcels are steep slopes, and mapped landslide and erosion hazards. The standard buffer from a steep slope is 50 feet, with an additional 15-foot building setback. It appears that this buffer does not encroach on any of these parcels.

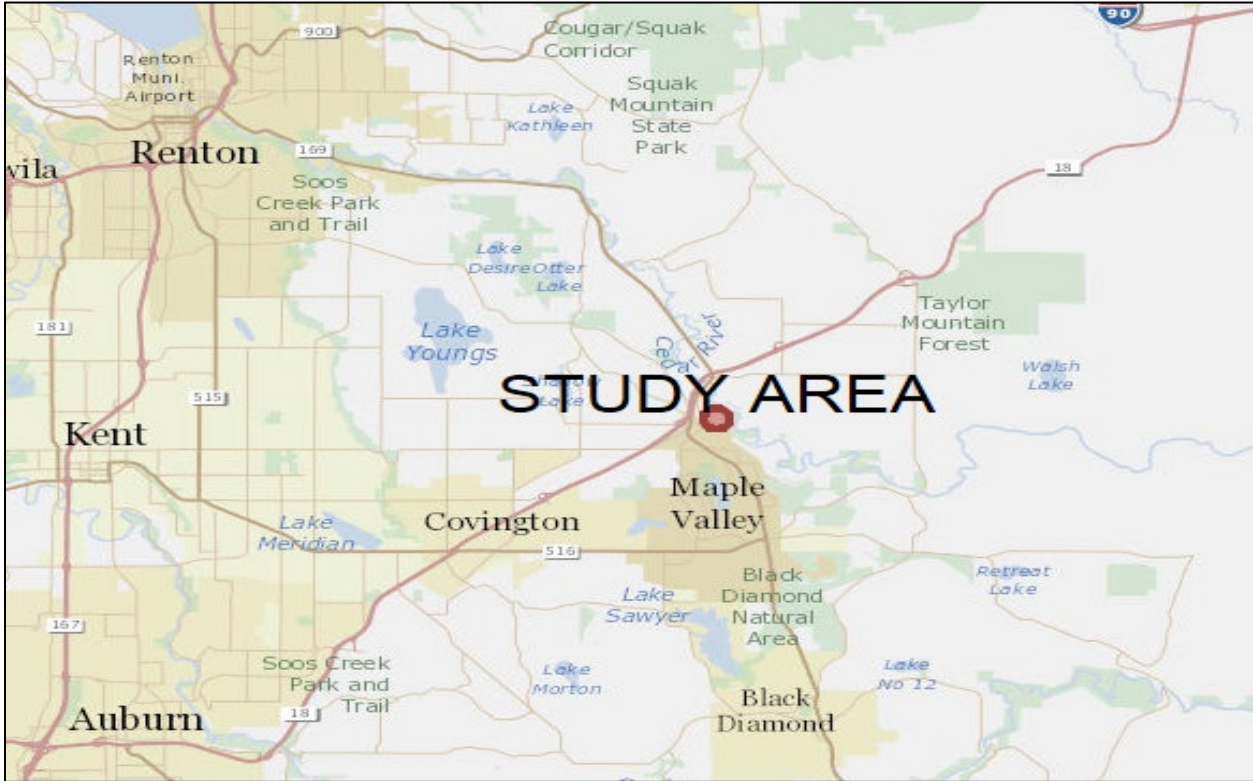
The Cedar River is approximately 500 feet to northeast from the northern portion of the site.

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<sup>4</sup> K.C.C. [\[LINK\]](#)

**D. Maps and Photos**

**1. Vicinity Maps<sup>5</sup>**



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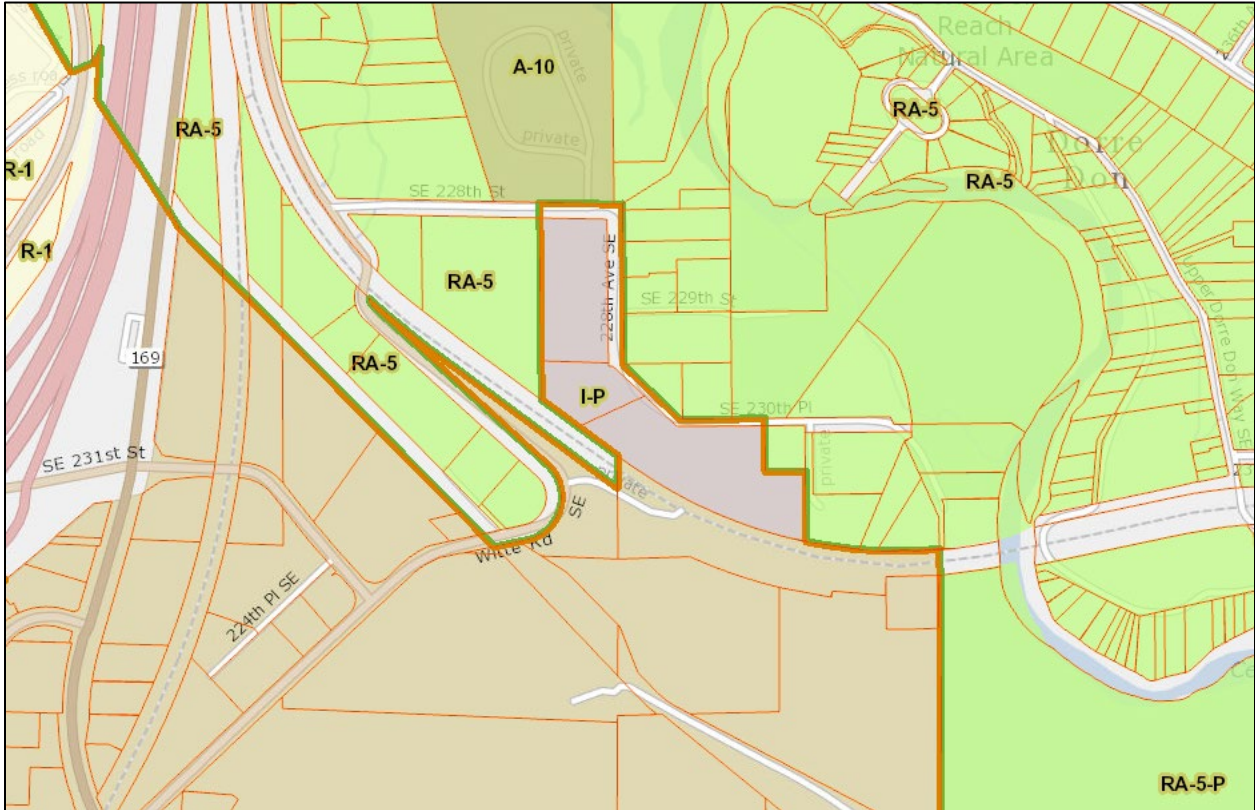
<sup>5</sup> iMap [LINK](#)







3. Zoning Map<sup>7</sup>



<sup>7</sup> iMap

4. Photos<sup>8</sup>

a. Witte Road looking south and just south of intersection with 228<sup>th</sup> Street. Cedar River Trail (old trestle) crossing.



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<sup>8</sup> Google Maps [\[LINK\]](#)

b. Looking east onto SE 228<sup>th</sup> Street from Witte Rd.



c. Looking south onto 228<sup>th</sup> Avenue from 228<sup>th</sup> Street.



d. Looking south near the transition from SE 228<sup>th</sup> Ave to SE 230<sup>th</sup> place. Note the low utility lines.



e. Looking east onto SE 230<sup>th</sup> from 228<sup>th</sup> Ave. The utility pole on right is near the SE edge of property.



### III. Regulatory Context and Analysis

#### A. Countywide Planning Policies

Considering the context in which this site sits, it could be considered for redesignation from urban to rural, as guided by Policy DP-19 in the Countywide Planning Policies (CPPs):

**DP-19:** Allow redesignation of Urban land currently within the Urban Growth Area to Rural land outside of the Urban Growth Area if the land is not needed to accommodate projected urban growth, is not served by public sewers, is contiguous with the Rural Area, and:

- a) Is not characterized by urban development;
- b) Is currently developed with a low density lot pattern that cannot be realistically redeveloped at an urban density; or
- c) Is characterized by environmentally sensitive areas making it inappropriate for higher density development.



The site appears to meet these criteria for being removed from the UGA, as follows.

As industrial-zoned land, these parcels are not needed to accommodate projected urban employment growth; sufficient non-residential capacity exists elsewhere within the urban unincorporated area. This site is currently in the UGA, but is not affiliated with a city. The only potential annexation would be to the City of Maple Valley, however, the City has not affiliated it, nor intends to, due to its lack of infrastructure, topographical separation, sensitive areas, and separation by linear utility and park ROWs. Based upon Table DP-1 “King County Growth Targets” in the CPPs and the 2021 Urban Growth Capacity Report, the site is not needed to accommodate projected employment growth:

- The City of Maple Valley has an employment growth target of 1,570 jobs in the 2019-2044 planning timeframe.
- The City of Maple Valley has adequate jobs capacity within its incorporated limits.
- If Maple valley intended to annex this area, it still wouldn't be needed by the City to accommodate its projected employment growth.

The site is not served by public sewers and is contiguous with the Rural Area.

As shown on the aerial maps and photos, and confirmed with site visits, the area is not characterized by urban development. The site is vacant and has lack of utilities and limited road infrastructure and site access.

The site has environmentally sensitive areas, including seismic hazards, CARAs, a wetland, erosion hazards, and landslide hazards. These environmentally sensitive areas, and associated buffers and mitigations, make higher density (or intensity) development inappropriate.

## **B. King County Comprehensive Plan**

As shown in the policies below (emphasis added), the Comprehensive Plan encourages preservation and development of industrial sites, while also encouraging those sites to avoid conflict with surrounding rural residential areas and address access issues. Balancing these policy goals is necessary for the evaluation in this study.

**ED-102** The focus for significant economic growth will remain within the Urban Growth Area, while within the Rural Area, the focus will be on sustaining and enhancing prosperous and successful rural businesses as well as encouraging new businesses that support and are compatible with the rural economic clusters.

The site is very unlikely to contribute significantly to the economic vitality of the area due to its limited size, infrastructure, and rural-proximate location.

**ED-204** King County shall encourage redevelopment of and reinvestment in industrial and manufacturing properties by collaborating with other jurisdictions and the private sector to remove, revise, or streamline regulatory or other redevelopment barriers without compromising environmental standards or quality. This includes assessment and/or remediation of contaminated properties.

The study area contains environmental constraints that may result in long-term degradation to the environment if the site were to be developed at urban industrial levels.

**ED-211** King County should support programs and strategies to preserve and plan for an adequate supply of industrial and commercial land, including but not limited to:

- a. Complying with the State of Washington Buildable Lands Program – RCW 36.70A.215 – and, in cooperation with the cities, inventory and monitor the use of industrial, commercial, and residential lands every five years;
- b. Partnering with other jurisdictions and the private sector, to advocate for development and maintenance of a regional Geographic Information System to track the supply of land;
- c. Actively applying for federal, state, and other resources to help defray the costs of assessment, remediation, and redevelopment of private and/or public Brownfields;
- d. Selling county-owned surplus industrial and commercial lands for development by the private sector;
- e. Promoting the redevelopment and infill of industrial and commercial areas and explore the feasibility of using incentives to achieve this goal; and
- f. Preventing the encroachment of non-industrial uses on industrially-zoned land and the rezoning of industrial land to other uses.

The County should carefully consider the preservation of industrial lands for their continued ability to support the economic vitality of the County. In this situation, the land is not a viable candidate for productive industrial or commercial use. It lacks public sewer, has known critical area constraints, and the location (surrounded by rural area on three site and separated from the City by the Cedar River Trail) would substantively impact nearby Rural Area properties. The site constraints would limit the site from meaningfully contributing to the County's employment supply or industrial products.

**U-115** King County shall provide adequate land capacity for residential, commercial, industrial and other non-residential growth in the urban unincorporated area. This land capacity shall include both redevelopment opportunities as well as opportunities for development on vacant lands.

The site is physically located in the urban unincorporated area of King County. The study area has not been claimed by the adjacent jurisdiction for potential annexation, is not needed to accommodate growth in the urban area, and is not suitable for urban industrial or commercial development.

**U-172** Within the UGA, but outside unincorporated activity centers, properties with existing industrial uses shall be protected. The county may use tools such as special district overlays to identify them for property owners and residents of surrounding neighborhoods.

The property is vacant. Any new industrial uses would negatively impact the rural character of the surrounding Rural Area.

**U-173** Industrial development should have direct access from arterials or freeways. Access points should be combined and limited in number to allow smooth traffic flow on arterials. Access through residential areas should be avoided.

The study area is accessible from west on SE 228<sup>th</sup> Street, from its intersection with Witte Road SE. SE 228<sup>th</sup> Street is a local street that serves residential uses in the vicinity of the study area. SE 228<sup>th</sup> Street does not currently have the capacity to serve industrial traffic.

**U-102** The Urban Growth Area designations shown on the official Land Use Map include enough land to provide the countywide capacity, as required by the Growth Management Act, to accommodate residential, commercial and institutional growth expected over the period 2006-2031. These lands should include only those lands that meet the following criteria:

- a. Are characterized by urban development that can be efficiently and cost effectively served by roads, water, sanitary sewer and storm drainage, schools and other urban governmental services within the next 20 years;
- b. Do not extend beyond natural boundaries, such as watersheds, which impede provision of urban services;
- c. Respect topographical features that form a natural edge, such as rivers and ridge lines;
- d. Are sufficiently free of environmental constraints to be able to support urban growth without major environmental impacts, unless such areas are designated as an urban separator by interlocal agreement between jurisdictions;
- e. Are included within the Bear Creek Urban Planned Development sites; and
- f. Are not Rural Area or Natural Resource Lands.

Consideration should also include whether the site meet the criteria for having a UGA designation. In this case, the lands are not needed to support countywide capacity for growth. They are not characterized by urban development and likely could not be effectively served by urban services due to the physical separation from the City. Given the substantive critical areas conditions on the site, they are also not "sufficiently free of environmental constraints to be able to support urban growth without major environmental impact."

**R-202** The Rural Area geography shown on the King County Comprehensive Plan Land Use Map include areas that are rural in character and meet one or more of the following criteria:

- a. Opportunities exist for significant commercial or noncommercial farming and forestry (large-scale farms and forest lands are designated as Resource Lands);
- b. The area will help buffer nearby Natural Resource Lands from conflicting urban uses;
- c. The area is contiguous to other lands in the Rural Area, Resource Lands or large, predominantly environmentally critical areas;
- d. There are major physical barriers to providing urban services at reasonable cost, or such areas will help foster more logical boundaries for urban public services and infrastructure;
- e. The area is not needed for the foreseeable future that is well beyond the 20-year forecast period to provide capacity for population or employment growth;
- f. The area has outstanding scenic, historic, environmental, resource or aesthetic values that can best be protected by a rural designation; or
- g. Significant environmental constraints make the area generally unsuitable for intensive urban development.

Similarly, Policy states that only one of the listed criteria needs to be met in order to have the Rural Area land use designation. The site is rural in character and meets four of the seven thresholds (being contiguous with other Rural Area lands, having physical barriers for providing urban services and not fostering local boundaries for such services; not being needed for future growth, and having significant environment constraints making the site unsuitable for intensive urban development).

### **C. King County Code**

TR-P17 limits uses of the site to those that do not require a Conditional Use Permit (CUP). This is appropriate to avoid the more intense uses or uses with potentially more impacts than those permitted outright. This is likely in recognition of the site infrastructure limitations, environmental constraints, and surrounding rural character. Additionally, the CARA I designation further restricts or prohibits land uses that pose a potential risk to the aquifer, most of these restrictions are on industrial type uses.

Should the zoning remain urban industrial, the condition should remain to keep these protections. If the site is removed from the UGA but retains industrial zoning, the condition would not be needed, as it would be redundant to the code provision already limits rural industrial sites to those that do not require a CUP.<sup>9</sup> If the site is removed from the UGA and changed to RA (Rural Area) zoning, the condition would not be needed, as only a small set of appropriately sized and scaled industrial uses are allowed in that zone.

The TR-P17 condition concerning a “master drainage plan” is redundant to the King County Surface Water Design Manual requirements and the designation of the site as a CARA I, which require groundwater study and drainage plan review and approval.

## **IV. Equity and Social Justice Analysis**

Substantive equity and/or social justice issues are not anticipated at this time due to both the de minimis change in development potential were the change to occur, and because this area has a low 2019 Equity Score of 1.67.<sup>10</sup> This score indicates a low presence of priority populations identified in K.C.C. Chapter 2.10 (people of color, people with low incomes, and/or people with limited English proficiency).

## **V. Public Engagement**

Ownership of the property is in a partnership. During the 2016 evaluation of the site, discussion with the owner representative provided some insight and, generally, that they preferred to retain the current urban status. A concern identified was that, without an urban designation and the possibility of the site being served by sewers, use of the site would be significantly limited because septic design would likely be very difficult based on the property not infiltrating sufficiently and many industrial uses not being permitted to discharge to septic systems. The owner represented that some feasibility had been explored to serve the site through an existing sewer easement and a pressurized/pump system that would get sewer effluent to a location to the south where sewer service exists by Soos Creek within the City of Maple Valley.

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<sup>9</sup> K.C.C. 21A.08.080.B.11

<sup>10</sup> King County Census Viewer (arcgis.com) [\[LINK\]](#) Scores range 1 to 5, with higher scores representing a more diverse, less wealthy population.

In 2023, the property owner's representative was contacted to discuss the potential redesignation the properties. At that time, they had no additional comment, but indicated they would follow up with the County as appropriate.

Public notice of the evaluation of the land use and zoning for this area was identified in:

- **The Draft Executive Early Concepts Proposals of the 2024 Update** that was issued for public review and comment January 30 through February 24, 2023. Notice of the comment period was provided via the County website, County email distribution lists, social media, and printed notices. The Early Concepts Proposals included an initial, high-level recommendation that the property be removed from the UGA, rezoned as RA-5, and that the p-suffix condition be removed. No public comments were received on this item.
- The Executive's draft recommendation in this study, as well as an associated implementing land use and zoning map amendment, in the **Public Review Draft of the 2024 Update** that was issued for public review and comment in June to July 2023. Notice of the comment period was provided via the County website, County email distribution lists, social media, and area-specific newspaper notices. No public comments were received on this item.

#### IV. Conclusion and Recommendation

The development conditions restricting uses to those that do not require a Conditional Use Permit limit the types of uses that would likely conflict with the surrounding Rural Area. This condition is the same as the rural industry standards contained in the code. The condition concerning a "master drainage plan" is also redundant to current code provisions. The combination of these conditions treats this site as if it is in the Rural Area, which is appropriate given its location and surrounding environment.

The City of Maple Valley does not have plans to annex this site and it is not represented in their Comprehensive Plan for growth. Further, the site currently lacks urban services and infrastructure adequate for an urban industrial site, has environmental constraints, and is surrounded on three sides by rural residential properties. It also abuts an agricultural parcel, (use and zoning A-10) which may create further incompatibilities.

No progress has been made in over 20 years to urbanize it, improve infrastructure, or make it suitable for urban or industrial development.

This site's lack of infrastructure, critical areas designations, proximity to rural residential development, a regional recreation trail corridor and the Cedar River habitat, strongly suggest a Rural Area designation and zoning is appropriate.

#### Recommendation

This study recommends the following for parcels 1622069091, 1522069034, and 1522069036:

- removal from the UGA;
- change the land use designation from "i" (Industrial) to "ra" (Rural Area);
- change the zoning classification from I (industrial) to RA-5 (Rural Area, one home per five acres); and
- removal of TR-P17 from the site and repeal from the zoning atlas.



**King County**

## **Snoqualmie Interchange Area Zoning and Land Use Study**

December 2023

### **I. Overview**

The Scope of Work<sup>1</sup> for the 2024 update to the King County Comprehensive Plan (KCCP)<sup>2</sup> (2024 Update) includes the following direction:

**Conduct a land use and zoning study for the Snoqualmie Interchange, and area north of I-90 impacted by the new Interstate 90/Highway 18 Interchange. The study should include, at a minimum, review and recommendation of the appropriate zoning for properties abutting the urban growth area boundary. The study should include the properties west of Snoqualmie Way along SE 99<sup>th</sup> that could have access to urban services, including whether the area should be included inside the urban growth area, and should recognize and protect the forested visual character of the Mountains to Sound National Scenic byway on Interstate 90 as well as provide appropriate conservation mitigation for any newly allowed development. The land use and zoning study and land use designations and zoning classifications should focus on solutions for the northwest corner while planning a vision for the properties on the northeast portions abutting the urban growth area. The study should include a review of whether affordable housing and/or behavioral health support services and/or facilities could locate in this area. The study should also ensure potential trail connections for regional trails and adhere to current King County policies. The Executive should collaborate with the City of Snoqualmie, Affected Tribes, Washington state DOT, DNR, property owners, Mountains to Sound Greenway Trust, regional partners and the community.**

Per Footnote 58 found in the Scope of Work: "This request is like a required study in Chapter 11 of the KCCP, to be done with the Snoqualmie Valley/NE King County Community Service Area Subarea Plan. The County intends to complete the work in Chapter 11 and this scope of work

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<sup>1</sup> [Motion 16142](#)

<sup>2</sup> [King County Comprehensive Plan](#)

with the Subarea Plan. The entire text is included in the scope of work for context, but if the study requirement in this scope of work is completed with the Subarea Plan, it need not be included in the 2024 update." Given this, both requirements are addressed in the 2024 Update and not in the Subarea Plan.

## II. Background

A 1990 Interlocal Agreement between King County and the City of Snoqualmie identified the study area as a joint planning area.<sup>3</sup> The implementation of the Snoqualmie Preservation Initiative in 2001<sup>4</sup> resolved the joint planning area and the urban growth area boundary around the City. Although the Interchange area was removed from the joint planning area as part of the Initiative, the study area has since been reviewed for possible conversion from rural to urban during the 2008,<sup>5</sup> 2012,<sup>6</sup> and 2016<sup>7</sup> Comprehensive Plan updates. In each instance, the determination by the County was to preserve the study area's current rural area land use designation and zoning classification and to keep the Urban Growth Area (UGA) boundary in its current location.

### A. 2008 Comprehensive Plan

A March 2008 Area Zoning Study evaluated two docket proposals<sup>8</sup> for the same geography this 2023 study analyzes, including 73 acres of proposed nonresidential development on parcels east of Snoqualmie Parkway.

The 2008 study determined that: "including these areas within the UGA and approval of these developments will bring pressure to bear on adjacent Rural Areas to the east and west to also seek redesignation to urban. Intensive development on the properties north of I-90 at the intersection of SR-18 would have a negative impact on this intersection within the Mountains to Sound Greenway."

The docket requests were denied, and the decision was made to retain the rural land use designation and zoning for the study area.

### B. 2012 Comprehensive Plan

In response to a 2010 Docket request,<sup>9</sup> the Scoping Motion<sup>10</sup> for the 2012 Comprehensive Plan update directed the County to "Revisit the issue of whether or not to convert land on the north side of Interstate 90 at Highway 18 from Rural to Urban."

A March 2012 Area Zoning Study evaluated the docket request, including the City of Snoqualmie's claims that a lack of commercial land within the city justified expansion of the UGA boundary. The 2012 Study determined that the Growth Management Act and Countywide Planning Policies (CPPs) did not support the City's position.

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<sup>3</sup> [Motion 7819](#)

<sup>4</sup> [Ordinance 14117](#)

<sup>5</sup> [Ordinance 16263](#); Area Zoning Study; study available upon request.

<sup>6</sup> [Ordinance 17485](#); [Area Zoning Studies](#), pp. 86-92

<sup>7</sup> [Ordinance 18427](#); [Area Zoning Studies](#), pp. 33-43

<sup>8</sup> [2006 Docket](#): #22 and #23. [2007 Docket](#): #1.

<sup>9</sup> [2010 Docket](#): #1

<sup>10</sup> [Motion 13475](#), Attachment A

The 2010 docket request was denied, and the decision was made to retain the rural land use designation and zoning for the study area. The City subsequently sued the County. On appeal, the Growth Management Hearings Board and subsequently the Thurston County Superior Court both affirmed the County’s decision.

**C. 2016 Comprehensive Plan**

In the 2016 Comprehensive Plan, study of the Snoqualmie Interchange was included in the adopted Scope of Work and a Docket request was submitted. A March 2016 Area Zoning Study was conducted. This Study primarily considered parcels on the northwest corner of the Interchange.

The 2016 study differed in some measure from the 2008 and 2012 studies because it was based on the 2012 CPPs, which changed and limited the conditions under which UGA amendments could be considered. The docket request was for an expansion of the UGA without any corresponding preservation of dedicated open space. Nevertheless, the 2016 study evaluated the potential for the UGA boundary expansion using the County’s Four-to-One Program,<sup>12</sup> but found that because the Interchange area was not adjacent to the original UGA boundary adopted in the 1994 King County Comprehensive Plan, it was not eligible to use the program to make the parcels urban.

The 2016 Study also considered the 2008 and 2012 analyses, as well as the conditions in the 2001 Snoqualmie Urban Growth Area Subarea Plan. And the 2016 Study referenced the Growth Board and Superior Court decisions that affirmed the County’s decision as part of the 2012 Comprehensive Plan to retain the UGA boundary and rural designation.

The docket request was denied, and the decision was made to retain the rural land use designation and zoning for the study area.

**III. Land Use Information**

**A. Parcel and Vicinity Information**

Parcel Number	Property Name/Ownership	Land Use Designation	Zoning Classification	Development Conditions	Acreage	Present Use
0223079046	1890 PARTNERS LLC	ra	RA-5	none	4.1	Vacant (Single-family)
0223079075	1890 PARTNERS LLC	ra	RA-5	none	0.7	Vacant (Single-family)
0223079063	1890 PARTNERS LLC	ra	RA-5	none	7.1	Vacant (Single-family)
0223079090	1890 PARTNERS LLC	ra	RA-5	none	0.2	Vacant (Single-family)
0223079033	WSDOT	ra	RA-5	none	0.02	Vacant (Single-family)
7462900110	JSA INVESTMENT LLC	ra	RA-5	none	31.6	Vacant (Single-family)
0223079049	KING CO PUB HOSPITAL DIST N	ra	RA-5	none	20.9	Governmental Service
0223079007	HOU JUNYU+JIANG SHUQIN	ra	RA-5	none	5.0	Vacant (Single-family)



Parcel Number	Property Name/Ownership	Land Use Designation	Zoning Classification	Development Conditions	Acreage	Present Use
0223079064	HOU JUNYU+JIANG SHUQIN	ra	RA-5	none	5.0	Vacant (Single-family)
0223079088	GOOD RV REAL ESTATE DEVELOP	ra	RA-5	none	5.0	Vacant (Single-family)
0223079089	GOOD RV REAL ESTATE DEVELOP	ra	RA-5	none	5.0	Vacant (Single-family)
022307UNKN	N/A	ra	RA-5	none	0	N/A

The study area is south of the City of Snoqualmie city limits and the UGA boundary and north of the Interstate 90 (I-90) and State Route 18 (SR-18) Interchange. The study area is on both the east and west sides of Snoqualmie Parkway. The study area covers approximately 85 acres, with 12 acres on the west side of Snoqualmie Parkway and 73 acres on the east side. Nine parcels owned by six different property owners make up the study area.

The properties in the study area are designated "ra" (Rural Area) in the King County Comprehensive Plan and are zoned RA-5 (Rural Area, one dwelling unit per five acres). RA zones, per King County Code (K.C.C.)<sup>11</sup> 21A.04.060, have the purpose of providing area-wide long-term rural character and minimizing conflicts to adjacent resource lands through means including limiting residential densities and permitted uses.

The zoning of adjacent parcels is as follows:

- East: RA-2.5 (Rural Area, one dwelling unit per 2.5 acres)
- West: RA-5
- South: RA-5 and RA-2.5 (south of I-90)
- North: Mixed Use and Residential (City of Snoqualmie)

The parcels in the study area range in size from 0.02 acres to 31.6 acres. The median and average lot size are 7.7 acres and five acres, respectively. To the east of the study area, there is a cluster of smaller lots with an average lot size of 1.25 acres that were established prior to the 1994 Comprehensive Plan. To the west of the study area, there are several parcels with an average size of over 20 acres. The parcels south of I-90 range in size from 0.13 acres to 56 acres with an average of six acres. The parcels to the north are within the City of Snoqualmie’s incorporated city limits and the UGA boundary. The lots in the City of Snoqualmie have an average size of 0.7 acres, with the eight-acre hospital property and several stormwater parcels included.

The study area is vacant, except for the parcel owned by King County Hospital District #4 (parcel 0223079049). This property was a former private recreational vehicle park and campground. Since 2018, King County Search and Rescue Association (KCSARA) has been using the property to store search and rescue equipment, vehicles, and as a mobile office.

The study area is in the Mountains to Sound Greenway, a National Scenic Byway and a National Heritage Area along I-90 that has been the focus of a major regional effort to preserve the natural scenic character of the corridor. Comprehensive Plan policy T-316 states that “King

<sup>11</sup> [King County Code](#)

County shall support and encourage the preservation and enhancement of scenic, historic, and recreational resources along the designated Washington Scenic and Recreational Highways located in the county, including I-90 (Mountains to Sound Greenway)” and others.

## **B. Infrastructure and Services**

### **General**

According to King County Assessor data, the parcels in the study area are outside any sewer district, water district, or parks and recreation district. The former camping park is served by a private on-site septic system and water well. The parcels are within the Snoqualmie Valley #410 School District and Public Hospital District #4.

At this time, the nearly vacant parcels require little if any services from King County or other service providers. The only use in the study area, by KCSARA, is intermittent and self-sufficient. Water and sewer services are present within the City of Snoqualmie’s boundaries to the north, but not in the study area.

### **Transportation**

Since 2016, WSDOT has planned and completed a design for improvements to the I-90 and SR-18<sup>12</sup> Interchange, adjacent to the southern edge of the study area. Construction on the Interchange improvements began in April 2023 and is expected to take between two to three years to complete. The \$188 million project aims to "address performance deficiencies and address community concerns around safety. The Interchange was designed to accommodate demand based on the city and county land use plans adopted at the time of design (2019)."<sup>13</sup>

In a September 22, 2023, letter<sup>14</sup> to the Growth Management Planning Council (GMPC) related to the GMPC’s consideration of countywide UGA expansion policies, WSDOT expressed “serious concerns that separate but interrelated planning decisions” in and around the City of Snoqualmie “will result in significant, cumulative impacts on the operation of WSDOT facilities, including the performance of the new \$188 million SR-18/I-90 Interchange investment, and ultimately the users of the transportation system in the Snoqualmie Valley.” WSDOT stated further that “any higher intensity urban development up to and around the I90/SR-18 Interchange and along I-90 has the potential to significantly degrade the safety and performance of the Interchange area.”

On the east side of Snoqualmie Parkway and the north boundary of study area, SE 96<sup>th</sup> Street provides access to 40 RA-2.5-zoned parcels located to the east of the study area. SE 96<sup>th</sup> Street then continues into a large RA-5-zoned area where it becomes a private, gravel road and branches multiple times to serve as access to approximately 25 privately-owned, rural-residential properties. Also on the east side of Snoqualmie Parkway, a short, private segment of SE 99<sup>th</sup> Street extends into the study area and provides access to the former camping park and several of the parcels adjacent to the Washington State Department of Transportation (WSDOT) right-of-way.

On the west side of Snoqualmie Parkway, SE 99<sup>th</sup> Street forms the northern boundary of the study area. SE 99<sup>th</sup> Street provides vehicular access to the Snoqualmie Valley Hospital on the

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<sup>12</sup> [LINK](#)

<sup>13</sup> Package of Letters to GMPC on UGA Policy and Four to One Program Review; [WSDOT letter](#); pp 35-38.

<sup>14</sup> [WSDOT letter](#) to GMPC from September 2023

northeast side of SE 99<sup>th</sup> Street (north of the study area) and several parcels owned by the Washington State Department of Natural Resources (DNR) and containing the Echo Glen Children's Center (Echo Glen). The hospital is located within the incorporated city limits of Snoqualmie, while Echo Glen is in rural, unincorporated King County.

The study area is within a travel shed that passes transportation concurrency. Snoqualmie Parkway between SE 99<sup>th</sup> Street and the I-90 Interchange is in unincorporated King County; Snoqualmie Parkway north of SE 99<sup>th</sup> Street is within and maintained by the City of Snoqualmie. The King County Road Services Division previously managed a small amount of roadway in the immediate vicinity of the designated area, south of SE 99<sup>th</sup> St, but that was transferred to WSDOT in 2022.

If future development impacts intersection function at SE 99<sup>th</sup> St and Snoqualmie Parkway, it would necessitate a discussion between the developer and the City of Snoqualmie. The first 1,090 feet of SE 99<sup>th</sup> Street west of Snoqualmie Parkway and the first 3,785 feet of SE 96<sup>th</sup> Street east of Snoqualmie Parkway are unincorporated King County roads. The remaining roads are under the jurisdiction of the City of Snoqualmie, WSDOT, or are privately owned. The two county roads are local (non-arterial) roads. No long-term needs were identified on these roads in the current adopted 2020 or draft proposed 2024 Transportation Needs Report, which is part of the Comprehensive Plan and is the County's list of known long-term, anticipated transportation needs.

King County Metro (Metro) operates Route 208 that uses Snoqualmie Parkway to travel from Issaquah to North Bend, with stops in the City of Snoqualmie along Snoqualmie Parkway. The stop nearest the study area is at the intersection of Snoqualmie Parkway and SE Jacobia Street, about 0.2 miles north of the UGA boundary.

### **C. Environmental Conditions and Constraints**

The study area is within the Raging River Basin. Elevations range from approximately 1080 feet above sea level in the northeast corner of the study area, to approximately 940 feet above sea level in the southwest corner of the area. Surface water flows generally from north to south across the study area, through several wetlands and streams.

A 2022 wetland reconnaissance study on parcel 0223079049 (the Hospital District Offices site) showed five wetlands within or adjacent to (potential buffers within) the parcel.<sup>15</sup> The wetlands range from Categories I to III, and habitat scores were between six and seven. As of November 2023, standard buffer widths for these wetlands, per K.C.C. 21A.24.325.A.1., were estimated at 150 feet with a 15-foot building setback. The 2022 study also shows two streams within and adjacent to parcel 0223079049. The streams are both Type F. As of November 2023, the standards buffer widths for these streams, per K.C.C. 21A.24.358, were estimated at 165 feet with a 15-foot building setback. Updates to buffer widths are anticipated as part of the County's update to critical area regulations in the 2024 Update, which might change this analysis.

There are no mapped seismic or landslide hazards in the study area, although all parcels are mapped with some degree of erosion hazard. The eastern portions of parcels 7462900110 and 0223079049 have areas considered steep slope hazard areas. Other steep slope hazard areas

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<sup>15</sup> The Watershed Company, "Parcel #0223079049, Reconnaissance Study," September 30, 2022; Emailed from KCSARA on 10/3/22

exist in the Snoqualmie Parkway right-of-way. No floodway or floodplain conditions are present on the properties. The properties slope downward from the northeast to the southwest.

Per DNR Wildland Urban Interface (WUI) mapping, wildfire risk has been identified in almost the entire study area.<sup>16</sup> Intermix WUI constitutes most of the areas both east and west of the Snoqualmie Parkway. Interface WUI exists in the northwestern portion of parcel 7462900110. In July 2022, the King County Executive issued its first Wildfire Risk Reduction Strategy, a set of 12 recommended actions to improve preparedness, response, and recovery as wildfire risk increases in rural areas of King County.<sup>17</sup> These actions include advancing wildfire risk reduction through effective policies, plans, and codes that promote or otherwise remove or reduce conflicts with best practices that reduce wildfire risk and improve public safety.

Noxious weeds have been detected along the roadways bordering the study area, specifically along SE 96<sup>th</sup> Street and Snoqualmie Parkway. The most common weed found during the 2023 season was *Senecio jacobaea* (Tansey Ragwort). *Geranium lucidum* (Shiny Geranium) and *Hieracium aurantiacum* (Orange Hawkweed) were also found during the 2023 season along Snoqualmie Parkway.

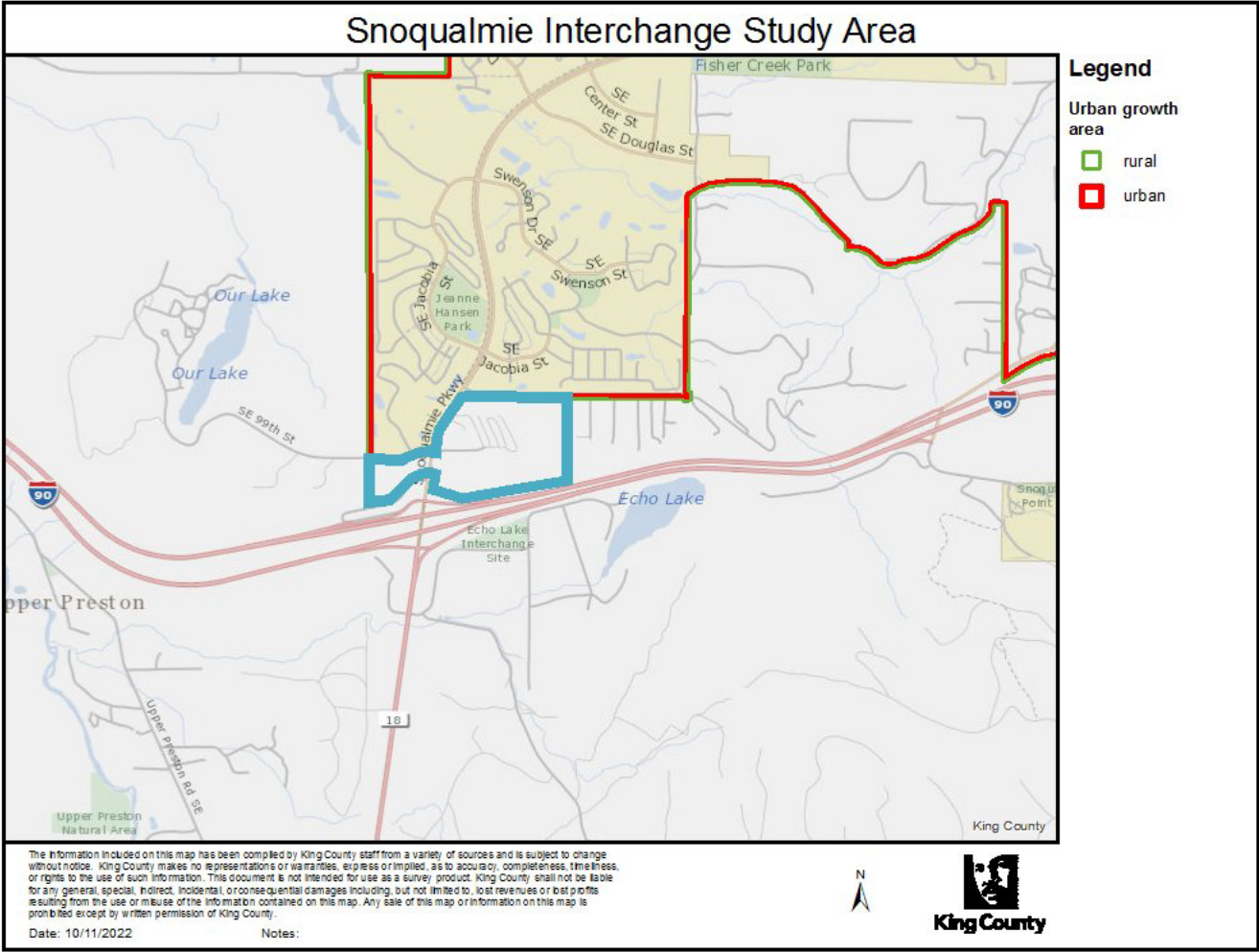
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<sup>16</sup> [Wildland Urban Interface \(WUI\) | Washington State Geospatial Open Data Portal](#)

<sup>17</sup> [king-county-wildfire-strategy-report.pdf \(kingcounty.gov\)](#)

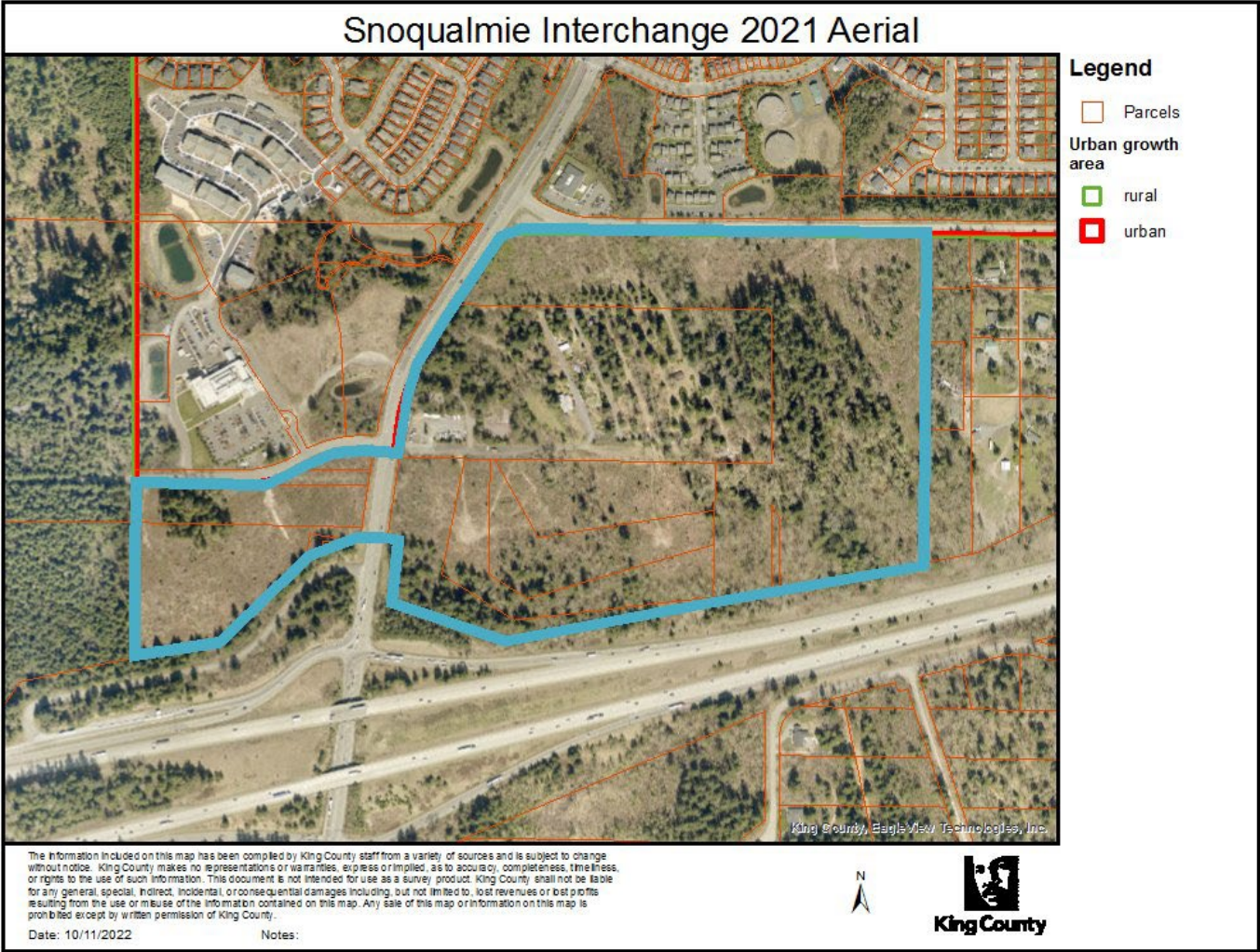
D. Maps and Photos

1. Vicinity Map<sup>18</sup>



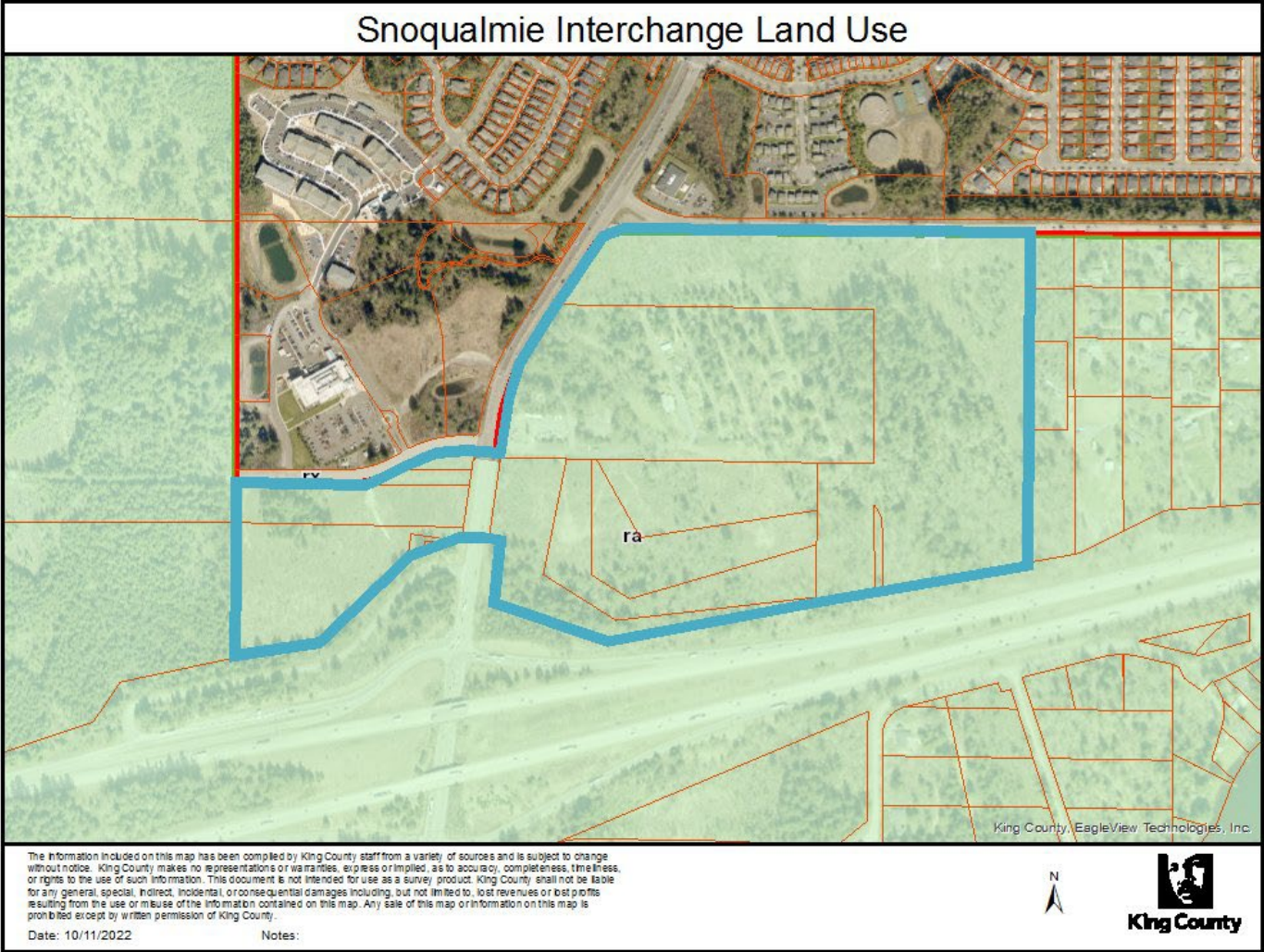
<sup>18</sup> [iMap \(kingcounty.gov\)](http://kingcounty.gov)

2. Aerial Site Map<sup>19</sup>



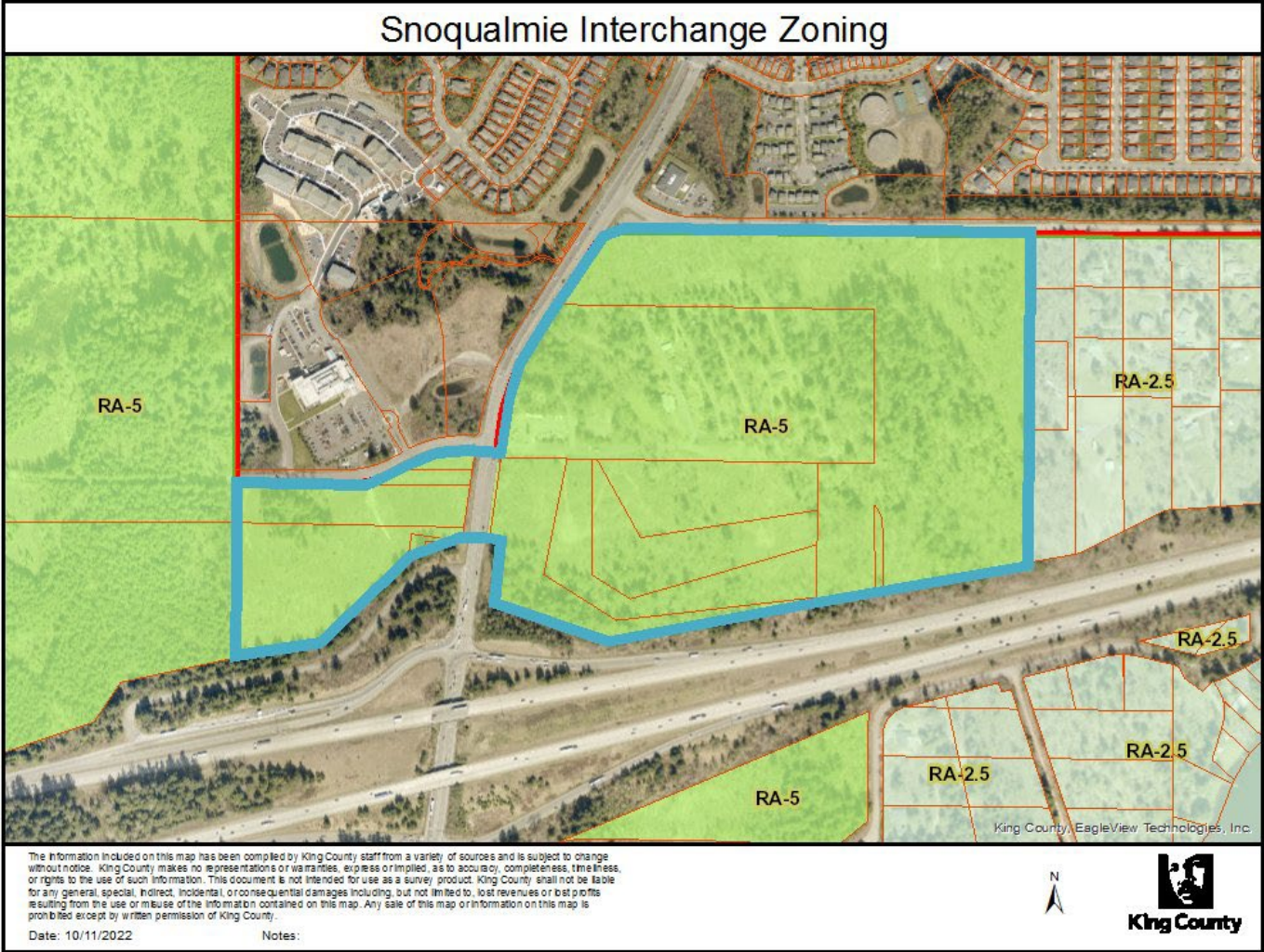
<sup>19</sup> ibid

3. Land Use Map<sup>20</sup>



<sup>20</sup> ibid

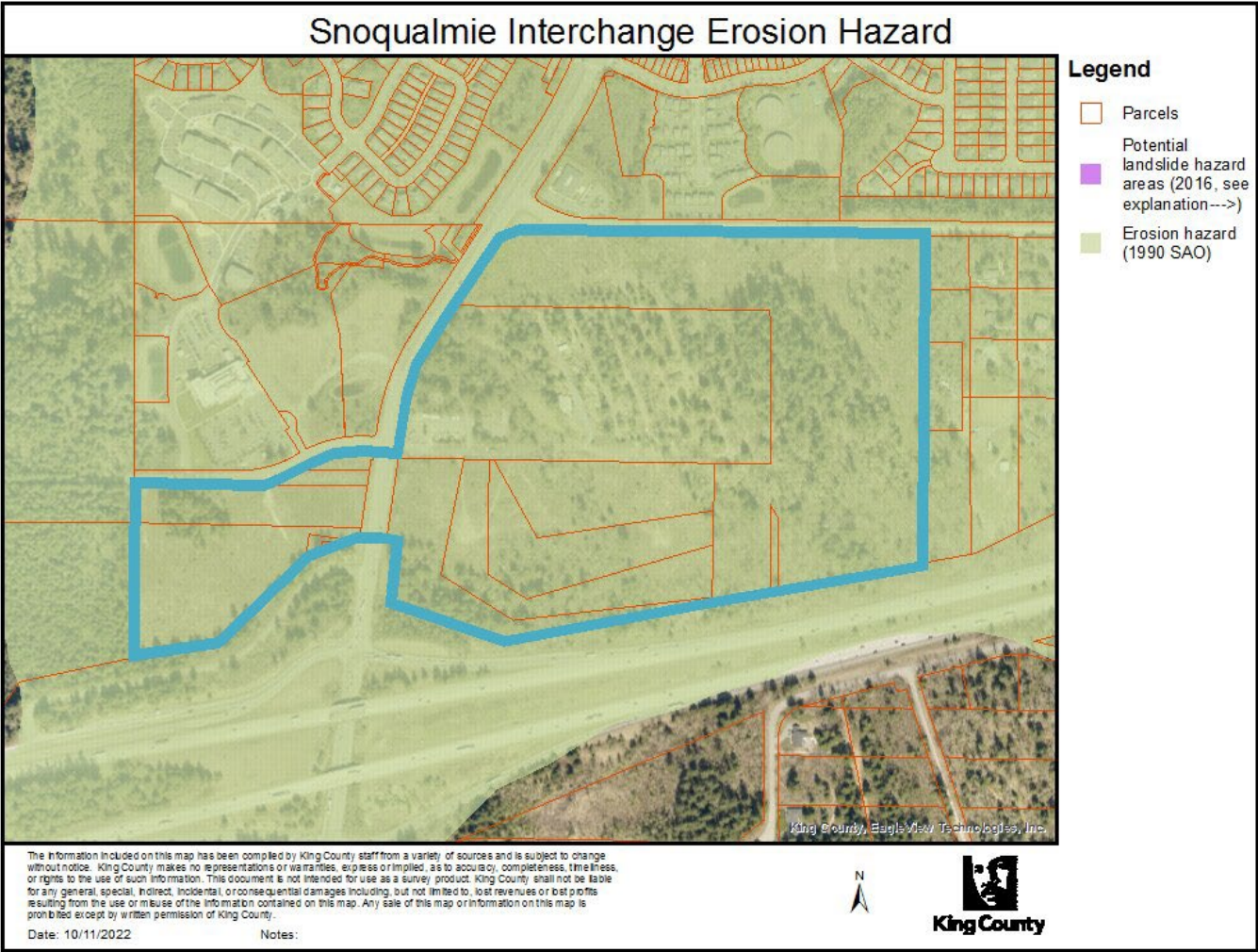
4. Zoning Map<sup>21</sup>



<sup>21</sup> ibid

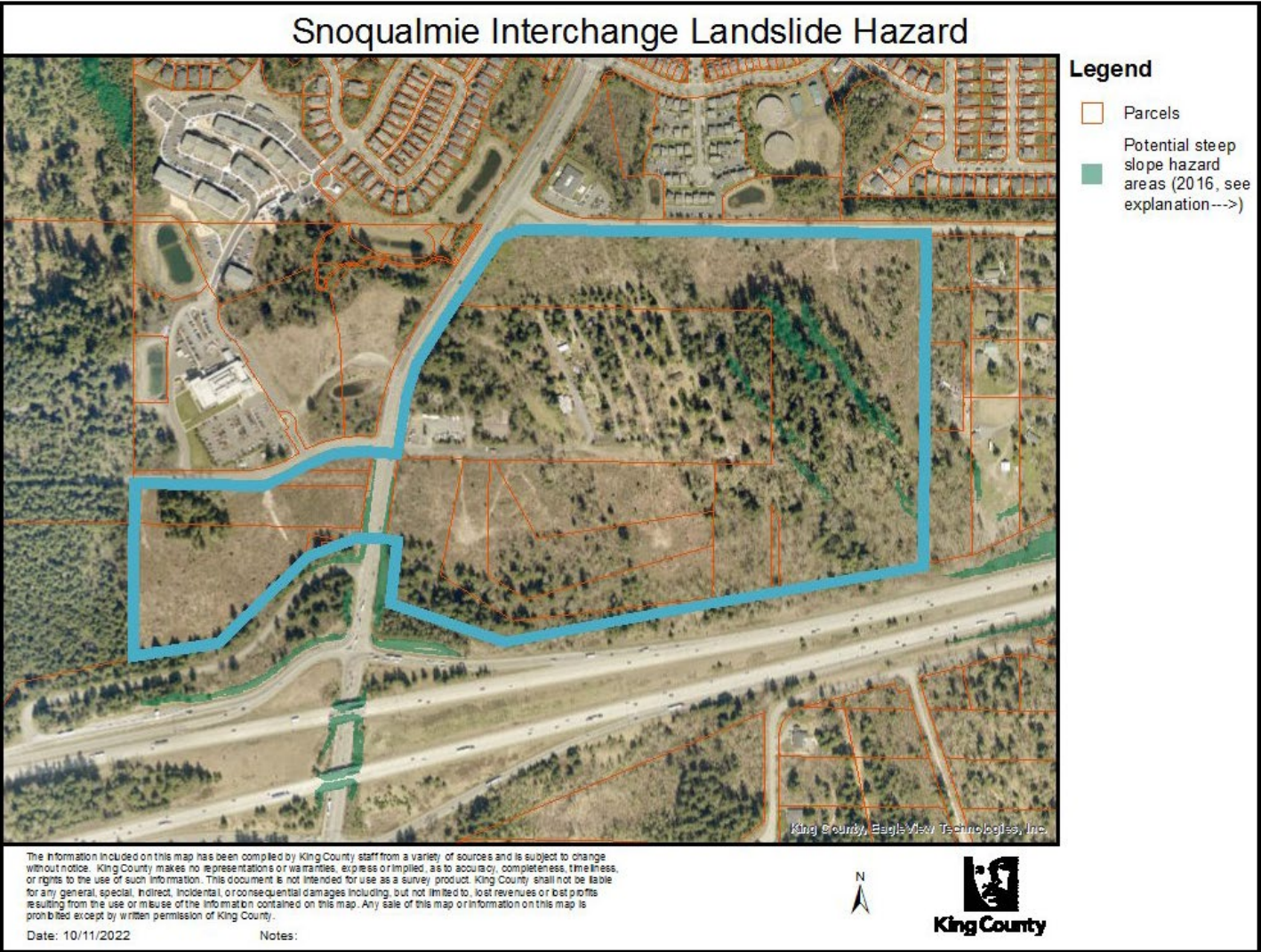


5. Erosion Hazard Map<sup>22</sup>



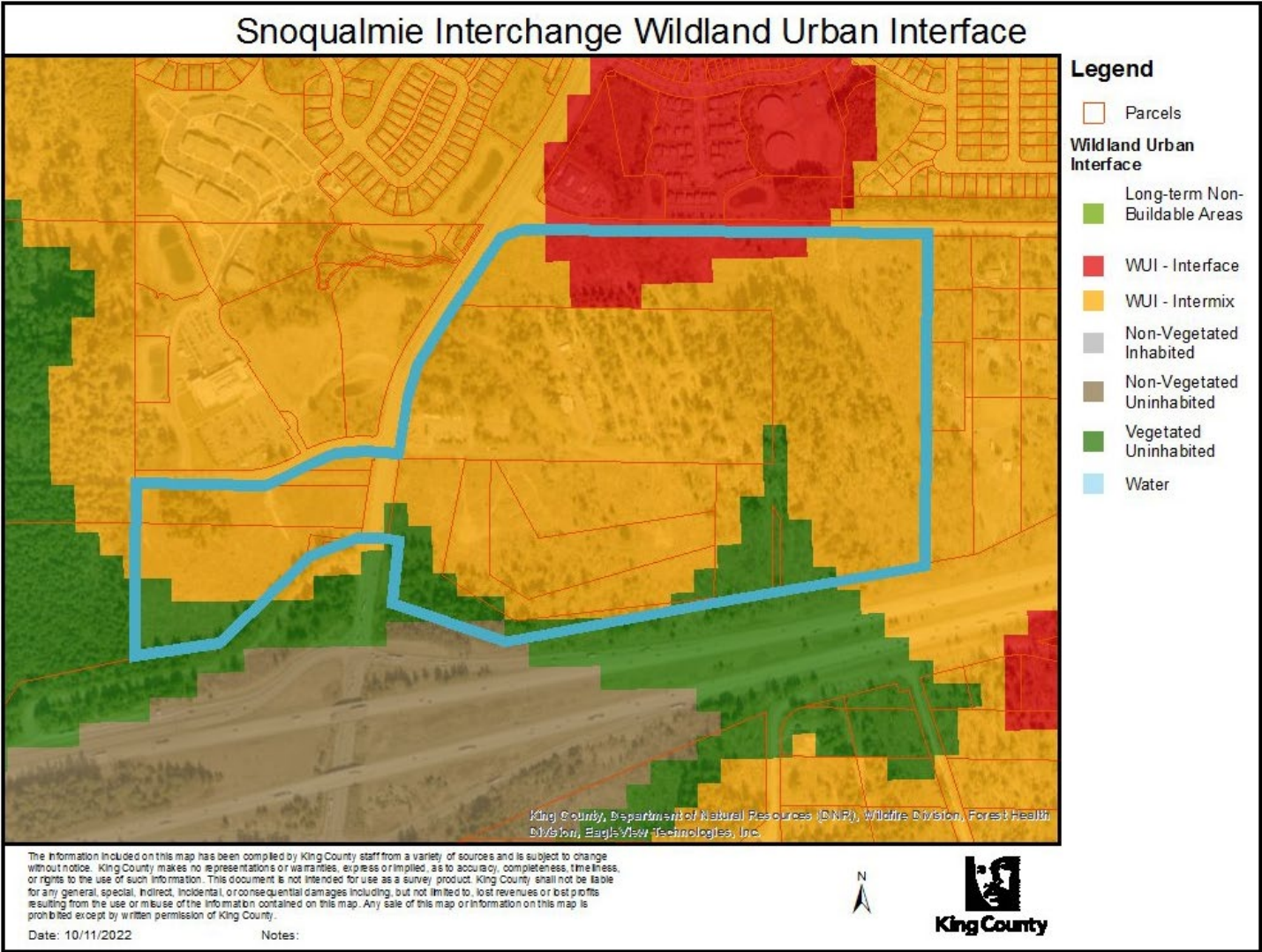
<sup>22</sup> ibid

6. Steep Slopes Map<sup>23</sup>



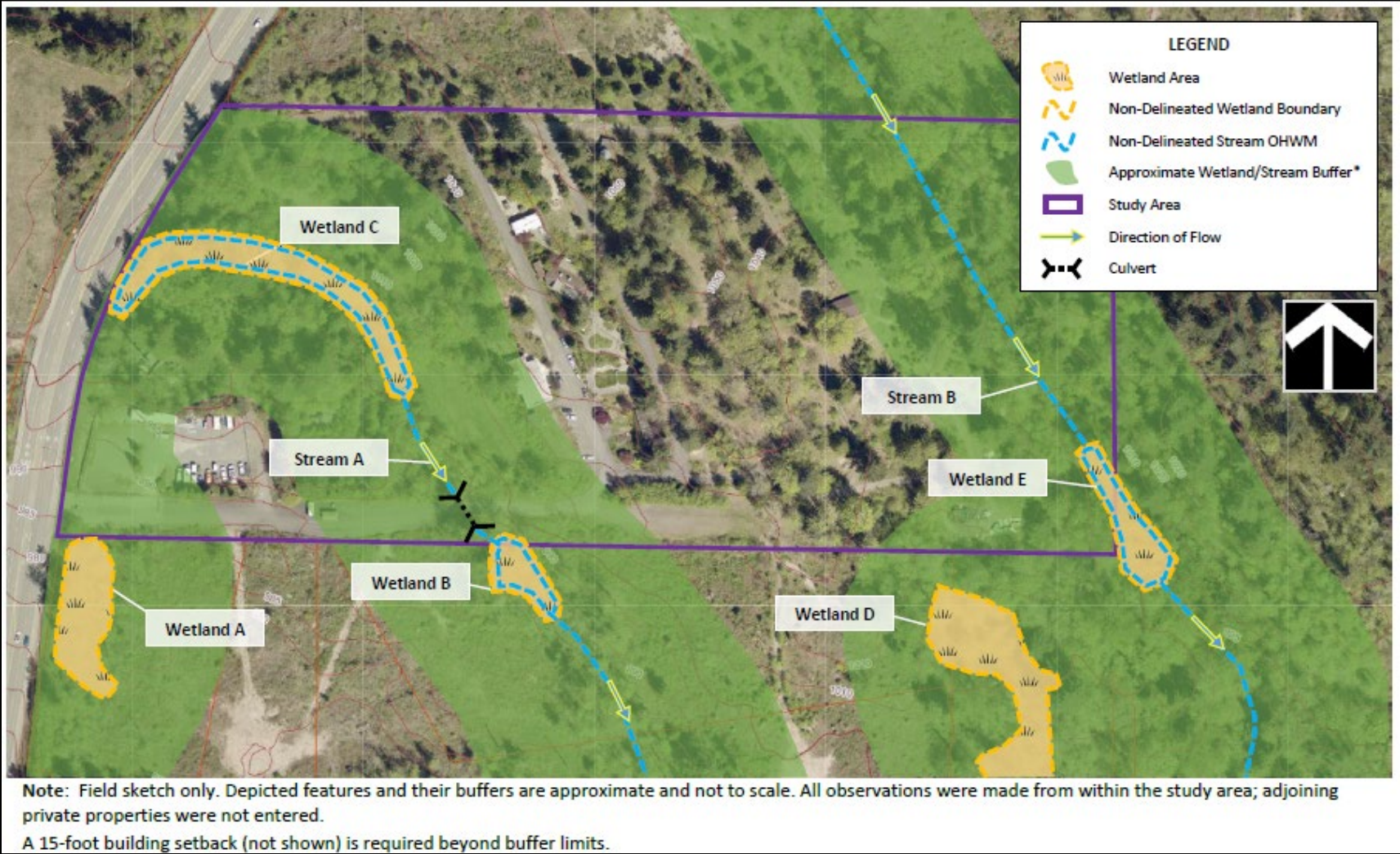
<sup>23</sup> ibid

7. Wildland Urban Interface Map<sup>24</sup>



<sup>24</sup> ibid

8. Wetland and Stream Reconnaissance Sketch Parcel 0223079049 <sup>25</sup>



<sup>25</sup> “Wetland and Stream Reconnaissance Sketch – King County Search and Rescue Headquarters,” The Watershed Company, site visit October 22, 2021.

## IV. Regulatory Context and Analysis

Key adopted policies and regulations relevant to this study include: VISION 2050 / Multicounty Planning Policies (MPPs)<sup>26</sup>, 2021 CPPs;<sup>27</sup> 2016 Comprehensive Plan, as amended;<sup>28</sup> and the King County Code. These policies and regulations put into practice the goals of the Growth Management Act (GMA) to retain and enhance open space, habitat and recreation, protect the environment, and reduce sprawl and focus growth in the urban area. RCW 36.70A.020.

A list of relevant policies and codes is below, followed by analysis of each component of the scope of work.

### A. Multicounty Planning Policies and Regional Growth Strategy

The MPPs and Regional Growth Strategy create a shared and consistent framework for growth management planning in King, Kitsap, Pierce and Snohomish Counties in accordance with RCW 36.70A.210(7).

Several MPPs are relevant to this study:

**MPP-RGS-4** Accommodate the region’s growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision and the goals of the Regional Open Space Conservation Plan.

**MPP-RGS-12** Avoid increasing development capacity inconsistent with the Regional Growth Strategy in regional geographies not served by high-capacity transit.

**MPP-RGS-13** Plan for commercial, retail, and community services that serve rural residents to locate in neighboring cities and existing activity areas to avoid the conversion of rural land into commercial uses.

**MPP-RGS-14** Manage and reduce rural growth rates over time, consistent with the Regional Growth Strategy, to maintain rural landscapes and lifestyles and protect resource lands and the environment.

**MPP-En-13** Preserve and restore native vegetation and tree canopy, especially where it protects habitat and contributes to overall ecological function.

**MPP-CC-4** Protect and restore natural resources that sequester and store carbon such as forests, farmland, wetlands, estuaries, and urban tree canopy.

**MPP-DP-6** Preserve significant regional historic, visual, and cultural resources, including public views, landmarks, archaeological sites, historic and cultural landscapes, and areas of special character.

<sup>26</sup> [VISION 2050 / Multicounty Planning Policies](#)

<sup>27</sup> [King County Countywide Planning Policies](#)

<sup>28</sup> [2016 Comprehensive Plan, as amended](#)

**MPP-DP-33** Do not allow urban net densities in rural and resource areas.

**MPP-DP-37** Ensure that development occurring in rural areas is rural in character and is focused into communities and activity areas.

**MPP-DP-44** Work to conserve valuable rural and resource lands through techniques, such as conservation programs, transfer of development rights, and the purchase of development rights. Focus growth within the urban growth area, especially cities, to lessen pressures to convert rural and resource areas to residential uses.

**MPP-DP-45** Avoid growth in rural areas that cannot be sufficiently served by roads, utilities, and services at rural levels of service.

**MPP-Ec-19** Support economic activity and job creation in cities in the rural areas at a size, scale, and type compatible with these communities.

**MPP-Ec-23** Support economic activity in rural and natural resource areas at a size and scale that is compatible with the long-term integrity and productivity of these lands.

**MPP-PS-5** Do not provide urban services in rural areas. Design services for limited access when they are needed to solve isolated health and sanitation problems, so as not to increase the development potential of the surrounding rural area.

**MPP-PS-6** Encourage the design of public facilities and utilities in rural areas to be at a size and scale appropriate to rural locations, so as not to increase development pressure.

**MPP-PS-28** Locate schools, institutions, and other community facilities serving rural residents in neighboring cities and towns and design these facilities in keeping with the size and scale of the local community, except as provided for by RCW 36.70A.211.

## **B. King County Countywide Planning Policies**

The CPPs create a shared and consistent framework for growth management planning for all jurisdictions in King County in accordance with RCW 36.70A.210. Several CPPs are relevant to this study:

**DP-4** Focus housing growth in the Urban Growth Area within cities, designated regional centers, countywide centers, locally designated local centers, areas of high employment, and other transit supported areas to promote access to opportunity. Focus employment growth within designated regional and countywide manufacturing/industrial centers and within locally designated local centers.

**DP-15** Review the Urban Growth Area at least every ten years. In this review consider monitoring reports and other available data. As a result of this review and based on the criteria established in policies DP-16 through DP-19, King County may propose and then the Growth Management Planning Council may recommend amendments to the Countywide Planning Policies and King County Comprehensive Plan that make changes to the Urban Growth Area boundary.

**DP-16** Allow amendment of the Urban Growth Area only when the following steps have been satisfied:

- a) The proposed amendment is under review by the County as part of an amendment process of the King County Comprehensive Plan;
- b) King County submits the proposal to the Growth Management Planning Council for the purposes of review and recommendation to the King County Council on the proposed amendment to the Urban Growth Area;
- c) The King County Council approves or denies the proposed amendment; and
- d) If approved by the King County Council, the proposed amendment is ratified by the cities following the procedures set forth in policy FW-1.

**DP-17** Allow expansion of the Urban Growth Area only if at least one of the following criteria is met:

- a) A countywide analysis determines that the current Urban Growth Area is insufficient in size and additional land is needed to accommodate the housing and employment growth targets, including institutional and other non-residential uses, and there are no other reasonable measures, such as increasing density or rezoning existing urban land, that would avoid the need to expand the Urban Growth Area; or
- b) A proposed expansion of the Urban Growth Area is accompanied by dedication of permanent open space to the King County Open Space System, where the acreage of the proposed open space:
  - 1) Is at least four times the acreage of the land added to the Urban Growth Area;
  - 2) Is contiguous with the Urban Growth Area with at least a portion of the dedicated open space surrounding the proposed Urban Growth Area expansion; and
  - 3) Preserves high quality habitat, critical areas, or unique features that contribute to the band of permanent open space along the edge of the Urban Growth Area; or
- c) The area is currently a King County park being transferred to a city to be maintained as a park in perpetuity or is park land that has been owned by a city since 1994 and is less than thirty acres in size.

**DP-18** Add land to the Urban Growth Area only if expansion of the Urban Growth Area is warranted based on the criteria in DP-17(a) or DP-17(b), and it meets all of the following criteria:

- a) Is adjacent to the existing Urban Growth Area;
- b) For expansions based on DP-17(a) only, is no larger than necessary to promote compact development that accommodates anticipated growth needs;
- c) Can be efficiently provided with urban services and does not require supportive facilities located in the Rural Area;
- d) Follows topographical features that form natural boundaries, such as rivers and ridge lines and does not extend beyond natural boundaries, such as watersheds, that impede the provision of urban services;
- e) Is not currently designated as Resource Land;
- f) Is sufficiently free of environmental constraints to be able to support urban development without significant adverse environmental impacts, unless the area is designated as an Urban Separator by interlocal agreement between King County and the annexing city; and
- g) Is subject to an agreement between King County and the city or town adjacent to the area that the area will be added to the city's Potential Annexation Area. Upon ratification of the amendment, the Countywide Planning Policies will reflect both the Urban Growth Area change and Potential Annexation Area change.

**DP-30** Evaluate proposals to annex or incorporate urban unincorporated land based on the following criteria, as applicable:

- a) Conformance with Countywide Planning Policies including the Urban Growth Area boundary;
- b) The ability of the annexing or incorporating jurisdiction to efficiently provide urban services at standards equal to or better than the current service providers;
- c) The effect of the annexation or incorporation in avoiding or creating unincorporated islands of development;
- d) The ability of the annexing or incorporating jurisdiction to serve the area in a manner that addresses racial and social equity and promotes access to opportunity; and
- e) Outreach to community, the interest of the community in moving forward with a timely annexation or incorporation of the area.

**DP-46** Provide opportunities for residential and employment growth within Cities in the Rural Area at levels consistent with adopted growth targets. Growth levels should not create pressure for conversion of nearby Rural or Natural Resource lands, nor pressure for extending or expanding urban services, infrastructure, and facilities such as roads or sewer across or into the Rural



Area. Transit service may cross non-urban lands to serve Cities in the Rural Area.

- DP-47** Limit growth in the Rural Area to prevent sprawl and the overburdening of rural services, minimize the need for new rural infrastructure, maintain rural character, and protect open spaces and the natural environment.
- DP-48** Limit residential development in the Rural Area to housing at low densities that are compatible with rural character and comply with the following density guidelines:
- a) One home per 20 acres where a pattern of large lots exists and to buffer Forest Protection Districts and Agricultural Districts;
  - b) One home per 10 acres where the predominant lot size is less than 20 acres; or
  - c) One home per five acres where the predominant lot size is less than 10 acres. Allow limited clustering within development sites to prevent development on environmentally critical lands or on productive forest or agricultural lands, but not to exceed the density guidelines cited in (a) through (c).
- DP-52** Except as provided in Appendix 5 (March 31, 2012 School Siting Task Force Report), limit new nonresidential uses located in the Rural Area to those that are demonstrated to serve the Rural Area, unless the use is dependent upon a rural location. Such uses shall be of a size, scale, and nature that is consistent with rural character.
- EC-25** Encourage economic activity within Cities in the Rural Area, at an appropriate size, scale, and type compatible with these communities and that does not create adverse impacts to the surrounding Rural Area and Natural Resource Lands.
- PF-1** Provide a full range of urban services in the Urban Growth Area to support the Regional Growth Strategy and adopted growth targets and limit the availability of urban services in the Rural Area consistent with VISION 2050. Avoid locating urban serving facilities in the Rural Area.
- PF-19** Locate schools, institutions, and other community facilities and services that primarily serve urban populations within the Urban Growth Area, where they are accessible to the communities they serve, except as provided in Appendix 5 (March 31, 2012 School Siting Task Force Report). If possible, locate these facilities in places that are well served by transit and pedestrian and bicycle networks.

### C. King County Comprehensive Plan

The Comprehensive Plan is the long-range guiding policy document for all land use and development regulations in unincorporated King County. Many Comprehensive Plan policies provide guidance for this study:

- 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 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.
- U-186** King County shall evaluate Four-to-One proposals for both quality of open space and feasibility of urban development. The highest-quality proposals shall be recommended for adoption as amendments to the Urban Growth Area. Lands preserved as open space shall retain their Rural Area designations and should generally be configured in such a way as to connect with open space on adjacent properties.
- U-187** King County shall use the following criteria for evaluating open space in Four-to-One proposals:
- a. Quality of fish and wildlife habitat areas;
  - b. Connections to regional open space systems;
  - c. Protection of wetlands, stream corridors, ground water and water bodies;
  - d. Unique natural, biological, cultural, historical, or archeological features;
  - e. Size of proposed open space dedication and connection to other open space dedications along the Urban Growth Area line; and
  - f. The land proposed as open space shall remain undeveloped, except for those uses allowed in U-188.
- U-188** King County shall preserve the open space acquired through the Four-to-One Program primarily as natural areas, passive recreation sites or resource lands for farming or forestry. King County may allow the following additional uses only if located on a small portion of the open space, provided that these uses are found to be compatible with the site's natural open space values and functions such as those listed in the preceding policy:
- a. Trails;
  - b. Compensatory mitigation of wetland losses on the urban designated portion of the project, consistent with the King County Comprehensive Plan and the Critical Area Ordinance; and

- c. Active recreation uses not to exceed five percent of the total open space area. Support services and facilities for the active recreation uses may locate within the active recreation area only, and shall not exceed five percent of the active recreation area. An active recreation area shall not be used to satisfy the active recreation requirements for the urban designated portion of the project as required by King County Code Title 21A.

**U-189** Land added to the Urban Growth Area under the Four-to-One Program shall have a minimum density of four dwellings per acre and shall be physically contiguous to the original Urban Growth Area, unless there are limitations due to the presence of critical areas, and shall be able to be served by sewers and other efficient urban services and facilities; provided that such sewer and other urban services and facilities shall be provided directly from the urban area and shall not cross the open space or Rural Area or Natural Resource Lands. Drainage facilities to support the urban development shall be located within the urban portion of the development. In some cases, lands must meet affordable housing requirements under this program. The total area added to the Urban Growth Area as a result of this policy shall not exceed 4,000 acres.

**U-190** King County shall amend the Urban Growth Area to add Rural Area lands to the Urban Growth Area consistent with Policy U-185 during the annual Comprehensive Plan amendment process. Open space dedication shall occur at final formal plat recording. If the applicant decides not to pursue urban development or fails to record the final plat prior to expiration of preliminary plat approval, the urban properties shall be restored to a Rural Area land use designation and associated zoning during the next annual review of the King County Comprehensive Plan.

**RP-203** King County shall continue to support the reduction of sprawl by focusing growth and future development in the Urban Growth Area, consistent with adopted growth targets.

**R-101** King County will continue to preserve and sustain its rural legacy and communities through programs and partnerships that support, preserve, and sustain its historic, cultural, ecological, agricultural, forestry, and mining heritage through collaboration with local and regional preservation and heritage programs, community groups, rural residents and business owners including forest and farm owners, rural communities, towns, and cities, and other interested stakeholders.

**R-201** It is a fundamental objective of the King County Comprehensive Plan to maintain the character of its designated Rural Area. The Growth Management Act specifies the rural element of comprehensive plans include measures that apply to rural development and protect the rural

character of the area (Revised Code of Washington 36.70A.070 (5)). The Growth Management Act defines rural character as it relates to land use and development patterns (Revised Code of Washington 36.70A.030 (15)). This definition can be found in the Glossary of this Plan. Rural development can consist of a variety of uses that are consistent with the preservation of rural character and the requirements of the rural element. In order to implement Growth Management Act, it is necessary to define the development patterns that are considered rural, historical or traditional and do not encourage urban growth or create pressure for urban facilities and service.

Therefore, King County’s land use regulations and development standards shall protect and enhance the following attributes associated with rural character and the Rural Area:

- a. The natural environment, particularly as evidenced by the health of wildlife and fisheries (especially salmon and trout), aquifers used for potable water, surface water bodies including Puget Sound and natural drainage systems and their riparian corridors;
- b. Commercial and noncommercial farming, forestry, fisheries, mining, home-occupations and home industries;
- c. Historic resources, historical character and continuity important to local communities, as well as archaeological and cultural sites important to tribes;
- d. Community small-town atmosphere, safety, and locally owned small businesses;
- e. Economically and fiscally healthy Rural Towns and Rural Neighborhood Commercial Centers with clearly defined identities compatible with adjacent rural, agricultural, forestry and mining uses;
- f. Regionally significant parks, trails and open space;
- g. A variety of low-density housing choices compatible with adjacent farming, forestry and mining and not needing urban facilities and services;
- 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.

**R-205** Uses related to and appropriate for the Rural Area include those relating to agriculture, forestry, mineral extraction, and fisheries, such as the raising of livestock, growing of crops, creating value-added products, and sale of agricultural products; small-scale cottage industries; and recreational and small-scale tourism uses that rely on a rural location.

**R-301** A low growth rate is desirable for the Rural Area, including Rural Towns and Rural Neighborhood Commercial Centers, to comply with the State Growth Management Act, continue preventing sprawl and the overburdening of rural services, reduce the need for capital expenditures

for rural roads, maintain rural character, protect the environment and reduce transportation-related greenhouse gas emissions. All possible tools may be used to limit growth in the Rural Area. Appropriate tools include land use designations, development regulations, level of service standards and incentives.

- R-302** Residential development in the Rural Area should occur as follows:
- a. In Rural Towns at a variety of densities and housing types, compatible with maintenance of historic resources and community character; and
  - b. Outside Rural Towns at low densities compatible with traditional rural character and uses, farming, forestry, mining and rural service levels.
- R-303** Rural Area zoned properties should have low residential densities that can be sustained by minimal infrastructure improvements such as septic systems and rural roads, should cause minimal environmental degradation and impacts to significant historic resources, and that will not cumulatively create the future necessity or expectation of urban levels of services.
- R-304** Rural Area zoned residential densities shall be applied in accordance with R-305 – R-309. Individual zone reclassifications are discouraged and should not be allowed in the Rural Area. Property owners seeking individual zone reclassifications should demonstrate compliance with R-305 – R-309.
- R-308** A residential density of one home per five acres shall be applied in the Rural Area where:
- a. The land is physically suitable for development with minimal environmentally sensitive features or critical habitat as determined by legislatively adopted watershed based plans;
  - b. Development can be supported by rural services;
  - c. The land does not meet the criteria in this plan for lower density designations; and
  - d. The predominant lot size is less than 10 acres.
- R-324** Nonresidential uses in the Rural Area shall be limited to those that:
- a. Provide convenient local products and services for nearby 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 and tourism opportunities that are compatible with the surrounding Rural Area.
- These uses shall be sited, sized and landscaped to complement rural character as defined in policy R-101 and R-201, prevent impacts to the environment and function with rural services including on-site wastewater disposal.

- R-334** To maintain traditional rural development patterns and assure continued opportunities for resource activities in the Rural Area, large lot development is preferred in the Rural Area. Clustering of lots is permitted when:
- a. The development provides equal or greater protection of the natural environment, natural resource lands, historic resources or archaeological sites;
  - b. Clusters are limited in size to be compatible with surrounding large lots or nearby agricultural and forestry uses;
  - c. The clustered development is offset with a permanent resource land tract preserved for forestry or agriculture, as designated by the owner at time of subdivision or short subdivision, or a permanent open space tract. Under no circumstances shall the tract be reserved for future development; and
  - d. The development can be served by rural facilities and service levels (such as on-site sewage disposal and fire protection).
- R-501** The Rural Neighborhood Commercial Centers designated on the Comprehensive Plan Land Use Map are small-scale business areas that should provide convenience shopping and services for the surrounding community. No new Rural Neighborhood Commercial Centers are needed to serve the Rural Area and Natural Resource Lands. Expansion of the boundaries of the existing Rural Neighborhood Commercial Centers shall not be permitted except through a subarea study.
- R-504** King County designates the Rural Towns of Fall City, Snoqualmie Pass, and the Town of Vashon as unincorporated Rural Towns. These historical settlements in unincorporated King County should provide services and a range of housing choices for Rural Area residents. The boundaries of the designated Rural Towns are shown on the Comprehensive Plan Land Use Map. Adjustments to these boundaries shall only occur through a subarea study, and shall not allow significant increases in development potential or environmental impacts. No new Rural Towns are needed to serve the Rural Area.
- 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 State Route 169.
- R-513** Rural Public Infrastructure Maintenance Facilities, and agriculture and forestry product processing should be allowed in the Rural Area. Other new industrial uses in the Rural Area shall be permitted only in Rural Towns and in the designated industrial area adjacent to the Rural Neighborhood Commercial Center of Preston.

- H-113** King County should support the development, preservation and rehabilitation of affordable housing that protects residents from exposure to harmful substances and environments, including lead poisoning, reduces the risk of injury, is well-maintained, and is adaptable to all ages and abilities. King County should work on a regional level with jurisdictions to explore tools to ensure healthy housing is provided throughout the region.
- H-121** King County shall support affordable and mixed-income housing development in transit-oriented locations that is compatible with surrounding uses by:
- a. Providing information and a process for accessing potential development sites in transit-oriented locations where King County has ownership or access to potential sites;
  - b. Promoting land use patterns that cohesively connect affordable and mixed-income housing with active transportation choices; and
  - c. Developing public financing techniques that will provide an advantage for projects that will create and/or preserve affordable and mixed-income housing within transit-oriented communities and neighborhoods that promote health, well-being and opportunity, or within a neighborhood plan for revitalization.
- H-208** King County will, to the extent possible, locate health and human services facilities where service delivery is most cost effective and efficient. The equity and social justice opportunities and impacts of possible locations will be taken into account. Locations should be easily accessible to anticipated clientele via various transportation methods including public transit, make the best use of existing facilities and opportunities to co-locate services and be compatible with adjoining uses.
- H-208a** When a health and human services facility is being relocated, King County consideration the impact on current clients, such as accessibility, transportation options and services available at the relocated facility.
- E-112a** 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% or more or landslide hazards that cannot be mitigated;
  - c. Wetlands and their protective buffers;
  - d. Aquatic areas, including streams, lakes, marine shorelines and their protective buffers;

- e. Channel migration hazard areas;
- f. Critical Aquifer Recharge Areas;
- g. Fish and Wildlife Habitat Conservation Areas; and
- h. Volcanic hazard areas

**E-473** King County’s overall goal for the protection of wetlands is no net loss of wetland functions and values within each drainage basin. Acquisition, enhancement, regulations, and incentive programs shall be used independently or in combination with one another to protect and enhance wetlands functions and values. Watershed management plans, including Water Resource Inventory Area plans, should be used to coordinate and inform priorities for acquisition, enhancement, regulations, and incentive programs within unincorporated King County to achieve the goal of no net loss of wetland functions and values within each drainage basin.

**E-483** Wetland impacts should be avoided if possible, and minimized in all cases. Where impacts cannot be avoided, they should be mitigated on site if the proposed mitigation is feasible, ecologically appropriate, and likely to continue providing equivalent or better biological functions in perpetuity. Where on-site mitigation is not possible or appropriate, King County may approve off-site mitigation.

**P-109** King County shall complete a regional trails system, linking trail corridors to form a countywide network. King County will continue to primarily own the land necessary for the operation and management of the trail system and pursue public-private funding opportunities for development and maintenance, while ensuring opportunities for access for all King County residents.

**T-235** The King County Regional Trails System is the centerpiece of the nonmotorized system in the Rural Area and Natural Resource Lands. The county’s efforts to enhance the Rural Area and Natural Resource Lands nonmotorized network should include filling in the Regional Trails System’s missing links, coordinating road and trail projects whenever possible, considering access from roadways such as trailhead parking, and enhancing access to transit, especially park and rides and transit centers.

**T-316** King County shall support and encourage the preservation and enhancement of scenic, historic, and recreational resources along the designated Washington Scenic and Recreational Highways located in the county, including I-90 (Mountains to Sound Greenway), US 2 (Stevens Pass Greenway), State Route 410 (Chinook Pass Scenic Byway), and State Route 202 (Cascade Valleys Scenic Byway). The corridor management plans established for these highways should be considered in the development and implementation of King County’s plans, projects and programs.



**F-222** King County and its cities should coordinate planning for health and human service facilities and services. County investments in health and human service facilities should be targeted primarily to the designated Urban Centers and secondarily to other locations in the Urban Growth Area and Rural Towns.

## D. Analysis

The Scope of Work directs the consideration of multiple issues:

1. Whether the study area should be included inside the UGA;
2. Review and recommendation of appropriate zoning for properties within the study area;
3. Whether affordable housing and/or behavioral health support services and/or facilities could locate in this area;
4. Provision of appropriate conservation mitigation for any newly allowed development;
5. Recognition and protection of the forested visual character of the Mountains to Sound National Scenic byway on I-90; and
6. Ensuring potential trail connections for regional trails and adherence to current King County policies.

### Issue 1: Whether the study area should be included inside the UGA

First and foremost, the Scope of Work directs that the study area be examined for possible inclusion within the UGA.

As outlined above, the MPPs and Regional Growth Strategy direct jurisdictions to accommodate growth first and foremost in the urban areas, avoid the conversion of rural lands, protect natural resources, and preserve rural character. In furtherance of these mandates, the CPPs contain narrow criteria for moving the UGA.

CPP DP-17 contains the criteria for moving the UGA. Part a of DP-17 allows the UGA to be moved if a countywide analysis determines that the current countywide UGA is insufficient in size: this is not the case here.<sup>29</sup> Part c allows the UGA to be moved when the area is a King County park being transferred to a city for park purposes; this also does not apply to this the study area. Part b, however, allows the UGA to be moved as part of a qualifying Four-to-One proposal.

At the time the Scope of Work directed this study, the study area did not qualify for consideration under the Four-to-One program because it is not adjacent to the 1994 UGA. From 2022 through 2023, the GMPC studied amendments to countywide UGA expansion policies and the Four-to-One program, including whether to retain the 1994 adjacency requirement. Ultimately, the GMPC made the decision to retain the 1994 UGA as the basis of the program.<sup>30</sup> As of the timing of this report, the study area remains ineligible. See CPPs DP-17, DP-18, and DP-30 and Comprehensive Plan polices U-185 through U-190 above.

<sup>29</sup> [2021 Urban Growth Area Capacity Report](#)

<sup>30</sup> [GMPC Motion 23-4](#)

**Conclusion:** The study area is not appropriate for and does not qualify for inclusion in the UGA.

**Issue 2: Review and recommendation of appropriate zoning for properties within the study area.**

Since the study area does not meet the criteria for inclusion within the UGA, this study now turns to the question of appropriate zoning for the area as part of rural unincorporated King County. Direction is found in the CPPs, in Comprehensive Plan policies, and K.C.C. Title 21A, which provides the purposes for the County's zoning classifications and prescribes allowed uses within each zone.

The Comprehensive Plan directs that no new Rural Neighborhood Commercial Centers or Rural Towns are needed to serve the surrounding rural area and nearby natural resource lands (R-501, R-504). The study area does not have a history of industrial use, so Industrial zoning is not supported, the exception being a rural public infrastructure maintenance facility (R-512, R-513). The location and the size of the parcels are not optimal for a working resource land designation (Agriculture, Forest, Mining). The purpose of the neighborhood business zone (NB) is to provide convenient daily retail and personal services for a limited service area; those services are available in the nearby City of Snoqualmie.

Consistent with the GMA, the purpose of the Rural Area zones (RA-2.5, RA-5, RA-10, and RA-20) are for area-wide, long-term, rural character and to minimize land use conflicts with nearby agricultural or forest production districts or mineral extraction sites (K.C.C. 21A.04.060). Rural areas are suitable for low-density residential and other uses that are compatible with rural character and that can be adequately supported by rural service levels, such as parks, trails, recreational vehicle parks, and limited commercial uses when sized and scaled to support the surrounding rural area.

The Rural Area zones include four residential density options.

- **RA-2.5** (one lot per 2.5 acres) is for areas where the predominant lot pattern is below five acres in size on lots established prior to the 1994 Comprehensive Plan.
- **RA-5** (one home per five acres) is for areas where the predominant lot pattern is greater than five acres but is less than 10 acres, and generally unconstrained with environmentally critical areas.
- **RA-10** (one home per 10 acres) is for areas where the predominant lot pattern is greater than 10 acres but less than 20 acres, and areas within a quarter mile of either an Agricultural or Forest Production District.
- **RA-20** (one home per 20 acres) is for areas designated as Rural Forest Focus Areas by the Comprehensive Plan.

Given the purposes of the Rural Area zones and the predominant lot pattern of the study area and vicinity discussed previously, RA-5 is the most appropriate zoning classification for the study area. The zoning code generally permits residential uses within the RA-5 zone when developed at densities consistent with the zoning classification, along with uses that are compatible with the rural character of the area, preserve and protect the critical areas in the study area, and would not require extension of urban-level services and utilities into the area.

The following non-residential uses are permitted as standalone uses in the Rural Area zone of the study area, subject to the development conditions list in the applicable permitted uses table of K.C.C. Chapter 21A.08.

- Parks
- Trails
- Campgrounds
- Recreational camp
- Arboretum
- Animal specialty services
- Interim recycling facility
- Utility facility
- Commuter parking lot
- Log storage
- Off-street required parking lot
- Retail nursery, garden center, and farm supply store
- Forest product sales
- Farmers market
- Materials processing facility
- Furniture and fixtures manufacturing
- Growing and harvesting crops
- Raising livestock and small animals
- Agricultural activities
- Agricultural support services
- Growing and harvesting forest products
- Forest research
- Hatchery/fish preserve
- Aquaculture
- Wildlife shelters
- Zoo animal breeding facility

A number of additional uses are permitted in the RA-5 zone when associated with a residential use on the property or as an accessory use, although they require a conditional use permit. Even more non-residential uses are allowed in the RA-5 zone with either a conditional use permit or a special use permit. Conditional use permits and special use permits require public notification and additional evaluation of compatibility with the rural area and consistency with King County policies.

**Conclusion:** The study area should retain its RA-5 zoning.

**Issue 3: Whether affordable housing and/or behavioral health support services and/or facilities could locate in this area.**

Since the study area does not meet the criteria and is not appropriate for inclusion in the UGA, development of affordable housing or behavioral health facilities were evaluated under the current and recommended zoning. While housing that is affordable for those making less than the median income is permitted in the study area, the lower densities, environmental site constraints, and limited access to transit and other services make these uses not well suited for the study area.

CPP PF-19 directs the location of institutions and other community facilities and services, which would include behavioral health facilities, to urban growth areas if they serve urban populations. The location of behavioral health support services and/or facilities in the study area is not permitted outright and would face many of the same site-development challenges as affordable housing including lack of public utilities and frequent transit service.

Some options allowed by the zoning include a Community Residential Facility I (up to 10 residents), a Social Services use, or an Office/Outpatient Clinic. Each of these uses could be proposed through a conditional use permit process. It is not possible to currently evaluate the merits of a potential development of this type without specific information related to the proposal.

**Conclusion:** While not optimal in this location, it is possible that some smaller scale behavioral health support services and/or facilities could locate in the study area, at lower densities and/or through the conditional use permit process.

**Issue 4: Provision of appropriate conservation mitigation for any newly allowed development.**

It is assumed that this element of the required analysis for this study is connected to the potential for a Four-to-One proposal within the study area. Four-to-One projects are required to identify four acres of permanently conserved land for every one acre of new urban development. However, this site is not eligible for the Four-to-One program. It would not otherwise be required that new development in this area provide such mitigations.

**Conclusion:** No special conservation mitigations are recommended for newly allowed development within the study area other than would occur under the current and recommended RA-5 zoning.

**Issue 5: Recognition and protection of the forested visual character of the Mountains to Sound National Scenic byway on I-90.**

The study area is in the Mountains to Sound Greenway, a National Scenic Byway and a National Heritage Area along I-90 that has been the focus of a major regional effort to preserve the natural scenic character of the corridor. Comprehensive Plan policy T-316 states that “King County shall support and encourage the preservation and enhancement of scenic, historic, and recreational resources along the designated Washington Scenic and Recreational Highways located in the county, including I-90 (Mountains to Sound Greenway)” and others.

The current and recommended zoning supports low-density residential and rural dependent uses. Any intensification of uses in this area beyond what is contemplated by the Rural Area land use designation has the potential to negatively impact the viewshed from the highway looking north. Protection of the northwest portion of the study area is an important factor in protecting the forested visual character of the Mountains to Sound National Scenic Byway on I-90.

**Conclusion:** An intensification of development in the study area could potentially negatively impact the Mountains to Sound viewshed.

**Issue 6: Ensuring potential trail connections for regional trails and adherence to current King County policies.**

King County’s long-term program for expanding and enhancing its Regional Trails network is found in the King County Regional Trails Needs Report. Regional trails planning is also informed by ongoing feasibility studies and related open space initiatives. Coordination with cities and regional partners in planning for the Regional Trails Network is essential but generally happens separately from long range comprehensive planning.

The study area is at the potential crossroads of regional trails and within the viewshed of the Mountains to Sound Greenway. Just to the north of the study area is the Snoqualmie Ridge Trail which connects to other regional trails such as the Whitaker Trail, the Centennial Trail, making this an important area for trail connections. The study area is also adjacent to growing mountain

biking networks on Tiger Mountain and Rattlesnake Ridge. The future link of the Mountains to Sound Trail is shown in renderings on WSDOT's I-90/SR 18 Interchange Improvements project website.<sup>31</sup> WSDOT informed County staff that the trail in their renderings is based on conversations with both the Mountains to Sound Greenway and DNR.

WSDOT further explained that the inclusion of bike and pedestrian facilities on the new Interchange anticipates the possibility that these proposed trails advance beyond the concept stage. DNR explained that keeping the possibility for a regional trail through these properties is an important consideration, that north-south trail connections (SR-18) need to be considered in addition to east-west connections (I-90), and that these areas should have green space conserved for wildlife connectivity. The King County Regional Trails group suggests an 18-foot corridor dedicated to this future regional trail to meet County standards.

**Conclusion:** Ensuring connections to and between regional trails is part of the County's long range trail planning and implementation. King County will continue to work with cities, regional partners, and the community to provide trail linkages within and around the study area. Retaining the current land use designation and zoning classification would provide the best chance to preserve opportunities for future trail connections.

## V. Equity and Social Justice Analysis

Equity and/or social justice issues related to potential future development in the study area are not anticipated because this area has a low 2019 Equity Score of 1.67, signifying this area is more wealthy and less diverse.<sup>32</sup> This score indicates a low presence of priority populations identified in King County Code Chapter 2.10 (people of color, low-income communities, and people with limited English proficiency).<sup>33</sup> There are currently no dwellings in the study area, so there is no risk of displacement.

## VI. Engagement

Engagement throughout the development of this study included multiple communications between King County planning staff and the City of Snoqualmie, the Snoqualmie Tribe, Mountains to Sound Greenway, King County Councilmembers and staff, WSDOT, DNR, Snoqualmie Valley Hospital, KCSARA, land preservation and community advocates, landowners, tenants, and project proponents. These discussions occurred in person, as well as virtually and via email and phone calls, and helped document the parties' varied interests.

There were also discussions at the GMPC, as that body considered changes to countywide UGA expansion policies and the Four-to-One program over a two-year period. Key communications to that body included public comment and letters from the Cities of Snoqualmie and North Bend, WSDOT, Futurewise, Transportation Choices Coalition, Sierra Club, representatives from rural community organizations, and individual county residents.

Much of the above communications, including comment letters, emails, and public testimony, are part of the public record.

<sup>31</sup> [I-90 – SR 18 Interchange Improvements | WSDOT \(wa.gov\)](#)

<sup>32</sup> [Census Viewer \(arcgis.com\)](#) Scores range 1 to 5, with higher scores representing a more diverse, less wealthy population.

<sup>33</sup> [Ordinance 16948](#)

## VII. Conclusion and Recommendation

### A. Conclusion

Based on the above analysis, the potential level of development in the study area should remain low intensity to be consistent with the surrounding rural area, to not create new impacts and growth pressure by conversion to urban areas or more intensive rural uses, and to not create new policy or precedent that would incentivize rural to urban conversions in other parts of the county. This furthers the goals of the GMA and Regional Growth Strategy to accommodate growth first and foremost in the urban areas, avoid the conversion of rural lands, protect natural resources, and preserve rural character.

The study area is located in the rural area, adjacent to the UGA and the incorporated limits of the City of Snoqualmie but ineligible to be added to the UGA by long-standing policy. It has been reviewed several times over two decades for inclusion in the UGA, redesignation, and reclassification. Each time, the recommendation has been to maintain the UGA boundary and current land use designation and zoning classification of the area. This has been the conclusion at both the local level through the Comprehensive Plan and, more recently, at the countywide level through GMPC action on the CPPs.

The study area is largely vacant, with the exception of the adaptive reuse of a former recreational vehicle campground as a base of operations for KCSARA. This use operates under current zoning and serves activities that occur largely in the rural and natural resource lands accessed to the east of the study area. This use fits the rural setting because it is low intensity and serves activities occurring in the rural and natural resource lands of the county.

The current RA-5 zoning allows for low-density residential uses that could be clustered as necessary to preserve and protect the numerous streams and wetlands that exist in the area and still remain consistent with rural area character. Additional land uses may be considered as permitted, conditional, and special uses in accordance with K.C.C. development regulations, as discussed above. Affordable housing is unlikely to be located in the study area. Regardless of the potential uses that may occur in the study area, special attention should be paid to the viewshed of the area, critical areas, as well as adequate spaces for potential use as a regional trail.

The zoning, similar to elsewhere in the study area, supports low-density residential and rural dependent uses. Any intensification of uses in this area beyond what is contemplated by the Rural Area land use designation has the potential to negatively impact the planned function of the imminent improvements to the Snoqualmie Interchange, as well as impact the viewshed from the highway looking north.

Protection of the northwest portion of the study area is an important factor in protecting the forested visual character of the Mountains to Sound National Scenic Byway on I-90. The northeast corner of the study area, abutting the UGA, contains numerous critical areas, and provides a forested gateway into the City of Snoqualmie. This area still provides a significant visual and sound buffer for the residential neighborhoods inside the City.

**B. Recommendation**

This study recommends that the UGA be maintained in its current location (consistent with current countywide policy) and that the study area keep its Rural Area land use designation and RA-5 zoning classification.



**Sustainable Communities and Housing Projects  
Demonstration Project  
Area Zoning and Land Use Study  
2024 King County Comprehensive Plan  
December 2023**

**I. Overview**

This study reviews the currently eligible properties for the Sustainable Communities and Housing Projects demonstration project adopted in King County Code (K.C.C.) 21A.55.101.

The purpose of the demonstration project "is to provide affordable housing and workforce housing integrated into developments containing market rate housing and maximize sustainable development, which includes bike, pedestrian and transit connections, a mix of housing types, and the use of recyclable materials." The demonstration project is currently authorized for certain parcels in White Center (White Center Workshop),<sup>1</sup> Skyway-West Hill (Brooks Village),<sup>2</sup> and Federal Way (Kit's Corner).<sup>3</sup>

As part of reviewing the development regulations for the 2024 Comprehensive Plan update, current demonstration projects authorized in K.C.C. Chapter 21A.55 were reviewed to remove expired and inactive projects. This review identified that when the Sustainable Communities and Housing Projects demonstration project was adopted in 2009,<sup>4</sup> it did not formally impose the "DPA" Demonstration Project Area zoning condition on any of the eligible parcels. This appears to be an oversight at this time. A zoning change would be needed to accurately reflect the DPA condition on these properties. However, no development has occurred under the demonstration project. So, it is appropriate to also review whether 1) the demonstration project is still needed, and 2) if so, which, if any, of the current eligible properties should continue to be eligible under the project.

**II. Land Use Information**

**A. Parcel and Vicinity Information**

White Center Workshop Parcel

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<sup>1</sup> Attachment A to Ordinance 16650 [\[LINK\]](#)

<sup>2</sup> Attachment B to Ordinance 16650 [\[LINK\]](#)

<sup>3</sup> Attachment C to Ordinance 16650 [\[LINK\]](#)

<sup>4</sup> Ordinance 16650 [\[LINK\]](#)



0623049375

Brooks Village Parcels

1148300010	1148300020	1148300030	1148300040
1148300050	1148300060	1148300070	1148300080
1148300090	1148300100	1148300110	1148300120
1148300130	1148300140	1148300150	1148300160
1148300170	1148300180	1148300190	1148300200
1148300210	1148300220	1148300230	1148300240
1148300250	1148300260	1148300270	1148300280
1148300290	1148300300	1148300310	1148300320
1148300330	1148300340	1148300350	1148300360
1148300370	1148300380	1148300390	1148300400
1148300410	1148300420	1148300430	1148300440
1148300450	1148300460	1148300470	1148300480
1148300490	1148300500	114830TRCT	

Kit's Corner Parcel

2191600870

The White Center Workshop parcel is in the south-central portion of North Highline, in the vicinity of Dick Thurnau Memorial Park. It has an Urban Residential, High (uh) land use designation and a R-18 (Urban Residential, 18 dwelling units per acre) zoning classification. The site is owned by King County and currently developed with an office buildings and a cell tower. It was also recently used as a COVID isolation and recovery site. There is public and water service to the site. There are no apparent environment constraints on the site. Zoning on adjacent parcels include:

- to the north, R-18 and R-48 (Urban Residential, 48 dwelling units per acre);
- to the east, R-48;
- to the south, CB (Community Business) and R-48; and
- to the west R-48 and R-18.

The Brooks Village parcels are in the western portion of Skyway-West Hill, northwest of the Skyway business district Unincorporated Activity Center. They have an Urban Residential, Medium (um) land use designation and a R-8 (Urban Residential, 8 dwelling units per acre) zoning classification. The site is owned by King County and currently undeveloped. There is public and water service to the site. There is a stream on and adjacent to the site, as well as potential landslide hazard areas and their buffers. A critical areas study was completed in 2021, which identified four wetlands on the site and a stream along the eastern edge of the parcel.<sup>5</sup>

Zoning on adjacent parcels include:

- to the north, R-8;
- to the east, R-48 and incorporated areas of the City of Seattle;
- to the south, R-8; and
- to the west R-8 and R-6 (Urban Residential, 6 dwelling units per acre).

The Kit's Corner parcel is in the western portion of Federal Way's Lakeland South Potential Annexation Area (PAA).. It has an Urban Residential, Medium (um) land use designation and a R-8 (Urban Residential, 8 dwelling units per acre) zoning classification. The

<sup>5</sup> Brooks Village RFP; ZoomGrants program webpage; accessed 10/29/23 [\[LINK\]](#)

site is owned by King County and currently undeveloped. It is located immediately adjacent to the Interstate-5 (I-5) and State Route 18 (SR-18) interchange. There are no sewer or septic facilities on the site, and it is served by a water district. The parcel is part of a former landfill, there is a stream on portions of and adjacent to the site, as well as potential wetlands. Zoning on adjacent parcels include:

- to the north, R-8;
- to the east, R-48 and incorporated areas of the City of Seattle; to the south, R-8; and
- to the west R-8 and R-6 (Urban Residential, 6 dwelling units per acre).

### III. Regulatory Context and Analysis

This section evaluates whether 1) the demonstration project is still needed, and 2) if so, which, if any, of the current eligible properties should continue to be eligible under the project.

The demonstration project was first adopted in 2009, and only technical terminology changes have been made to it since then. No projects have been developed under the demonstration project. However, the 2016 King County Comprehensive Plan, as amended,<sup>6</sup> includes a variety of policies that support using incentives, regulatory flexibilities, and innovative models to achieve sustainable and affordable housing goals, such as the policies that follow (**emphasis added**).

**U 133** King County encourages innovative, quality infill development and redevelopment in existing unincorporated urban areas. A variety of regulatory, incentive and program strategies could be considered, including:

- a. Special development standards for infill sites;
- b. Assembly and resale of sites to providers of affordable and healthy housing;
- c. Impact mitigation fee structures that favor infill developments;
- d. Greater regulatory flexibility in allowing standards to be met using innovative techniques;
- e. Coordination with incentive programs of cities affiliated to annex the area;
- f. Green Building techniques that create sustainable development; and
- g. Joint public/private loan guarantee pools.

**U-122a** King County should explore zoning policies and provisions and tools that increase housing density and affordable housing opportunities within unincorporated urban growth areas, with a focus on areas near frequent transit and commercial areas.

**U 128** Density incentives should encourage private developers to: provide affordable housing, significant open space, trails and parks; use the Transfer of Development Rights Program, Low Impact Development and Green Building; locate development close to transit; participate in historic preservation; and include energy conservation measures.

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<sup>6</sup> Current Adopted King County Comprehensive Plan [\[LINK\]](#)

**H-112** King County should encourage affordable housing through redevelopment of nonresidential buildings, such as schools and commercial buildings, in locations suitable for housing and in ways that preserve significant historic features where appropriate.

**H-130** King County shall explore zoning policies and provisions that increase housing density and affordable housing opportunities within unincorporated urban growth areas near transit and near commercial areas.

**H-133** King County shall encourage the development of new housing models that are healthy and affordable by providing opportunities for new models within unincorporated urban growth areas and near commercial areas. King County shall work to allow innovative housing projects to move forward, including affordable housing demonstration projects, affordable owner built housing, land trusts and cooperative ownership structures for rental and ownership housing, co-housing and other innovative developments.

**H-134** Density bonuses and other incentives for the development of affordable housing by for-profit and non-profit developers shall be available within unincorporated urban areas, with a focus on commercial areas to both single family and multifamily developments to promote development of affordable rental and/or ownership housing. Bonuses shall be periodically reviewed and updated, as needed, to assure they are effective in creating affordable housing units, especially in coordination with any mandatory inclusionary affordable housing requirements that may be adopted.

**H-157** King County should expand its use of surplus county owned property and air rights over county owned property for affordable housing and its possible use for other public benefits, such as human services; and should consider conveyance of properties to public or non-profit housing developers and agencies at below-market cost for the purpose of building or providing affordable housing. Surplus county property shall be prioritized for housing development that will be consistent with King County adopted plans. This policy shall be carried out consistent with King County Charter Section 230.10.10 and other applicable laws, regulations and contract restrictions, such as grant funding requirements.

**I 601** King County should develop incentives for the Urban Growth Area that encourage the development industry to provide a broad range of housing and business space, including areas of the county with the most disparate outcomes in health, economic prosperity and housing conditions, where residents may be at high risk of displacement. Incentives could include:

- a. Identification of geographic areas with infill opportunities, granting budget priority status and allowing more flexible development standards;
- b. Density bonuses for site designs which provide public benefits (for example, grid roads that connect with other developments and limit impacts on arterials);

- c. Incentives which lower financial development risk;
- d. Joint development opportunities at county owned or operated facilities, utilization of air rights on county owned or operated facilities, and the establishment of transit supportive design guidelines; and
- e. County capital improvement funding for public urban amenities including transportation, parks, open space, cultural and other facilities for cities participating in the King County Transfer of Development Rights Program.

The Housing Chapter of the King County Countywide Planning Policies also " The Countywide Planning Policies in the Housing Chapter has an overarching goal to " provide a full range of affordable, accessible, healthy, and safe housing choices to every resident in King County ...", as well as polices that support incentives and related strategies for sustainable and affordable housing, as follows (emphasis added).

**DP-45** Adopt flexible design standards, parking requirements, incentives, or guidelines that foster green building, multimodal transportation, and infill development that enhances the existing or desired urban character of a neighborhood/community. Ensure adequate code enforcement so that flexible regulations are appropriately implemented.

**H-11** Adopt policies, incentives, strategies, actions, and regulations that increase the supply of long-term income-restricted housing for extremely low-, very low-, and low-income households and households with special needs.

**H-14** Prioritize the use of local and regional resources (e.g., funding, surplus property) for income-restricted housing, particularly for extremely low-income households, populations with special needs, and others with disproportionately greater housing needs. Consider projects that promote access to opportunity, anti-displacement, and wealth building for Black, Indigenous, and People of Color communities to support implementation of policy H-10.

**H-18** Adopt inclusive planning tools and policies whose purpose is to increase the ability of all residents in jurisdictions throughout the county to live in the neighborhood of their choice, reduce disparities in access to opportunity areas, and meet the needs of the region's current and future residents by:

- a) Providing access to affordable housing to rent and own throughout the jurisdiction, with a focus on areas of high opportunity;
- b) Expanding capacity for moderate-density housing throughout the jurisdiction, especially in areas currently zoned for lower density single-family detached housing in the Urban Growth Area, and capacity for high-density housing, where appropriate, consistent with the Regional Growth Strategy;
- c) Evaluating the feasibility of, and implementing, where appropriate, inclusionary and incentive zoning to provide affordable housing; and

d) Providing access to housing types that serve a range of household sizes, types, and incomes, including 2+ bedroom homes for families with children and/or adult roommates and accessory dwelling units, efficiency studios, and/or congregate residences for single adults.

**H-20** Adopt policies and strategies that promote equitable development and mitigate displacement risk, with consideration given to the preservation of historical and cultural communities as well as investments in low-, very low-, extremely low-, and moderate-income housing production and preservation; dedicated funds for land acquisition; manufactured housing community preservation, inclusionary zoning; community planning requirements; tenant protections; public land disposition policies; and land that may be used for affordable housing. Mitigate displacement that may result from planning efforts, large-scale private investments, and market pressure. Implement anti-displacement measures prior to or concurrent with development capacity increases and public capital investments.

As part of the 2020 midpoint update to the 2016 Comprehensive Plan, the County completed a feasibility analysis of developing affordable housing on County-owned properties.<sup>7</sup> This analysis determined that:

- the White Center Workshop site should be redeveloped in the short-term as COVID isolation and recovery site;
- the Brooks Village site has critical areas and difficult road access; and
- the Kit's Corner site was more appropriate for continuing its current use as a vacant site rather than for redevelopment for affordable housing.

The Brooks Village site is currently actively being evaluated for affordable housing development. In September 2023, King County closed a Direct Negotiation Request for Proposals (RFP) for Brooks Village. The "RFP was developed in response to a two-year community engagement process to identify community needs and priorities for the site."<sup>8</sup> The stated purpose of the RFP is to identify a nonprofit developer and/or community-based organization to explore development of affordable homeownership on the site to decrease displacement pressure and increase affordable housing options in Skyway-West Hill. The RFP identifies that the site could likely be built with approximately 48 to 54 affordable units, in consideration of environmental constraints. Use of the demonstration project on this site could further support development in accordance with the RFP's goals. Future redevelopment of White Center Workshop is also still a possibility.

<sup>7</sup> Affordable Housing Report: Current Efforts, Plan for Inventory and Feasibility Analysis of Affordable Housing on County-Owned Properties [\[LINK\]](#); Affordable Housing Report: Inventory and Feasibility Analysis of Affordable Housing on County-owned Properties [\[LINK\]](#)

<sup>8</sup> Communities of Opportunity website; Brooks Village Direct Negotiation Request for Proposals (RFP); accessed 10/29/23 [\[LINK\]](#)

## IV. Equity and Social Justice Analysis

Equity and social justice impacts should be considered in this evaluation. The 2019 Equity Scores for these sites are 4.67 for White Center Workshop and 5.00 for Brooks Village.<sup>9</sup> These higher scores indicates a high presence of priority populations identified in K.C.C. Chapter 2.10 (people of color, people with low incomes, and/or people with limited English proficiency). Providing more access to affordable housing in these communities could reduce displacement risk and improve outcomes for residents. Kit's Corner has a 3.00 Equity Score, which indicates a more moderate presence of priority populations. This should not discount the affordable housing needs in that community. However, the location of the site immediately adjacent to the I-5/SR-18 interchange could have health impacts on residents should affordable housing be sited there.

## V. Engagement

A draft proposed map amendment and imposing the DPA condition on the White Center Workshop and Brooks Village parcels to correct the 2009 error was included in the Public Review Draft of the 2024 Comprehensive Plan. The Kit's Corner parcel was not included in the map amendment to add the DPA on the site, given the 2020 determination that the site was not suitable for affordable housing development. The Public Review Draft was issued for public review and comment in June to July 2023. Notice of the comment period was provided via the County website, County email distribution lists, social media, and area-specific newspaper notices. No comments were received on the draft proposal.

## III. Conclusion and Recommendation

### A. Conclusion

The Countywide Planning Policies and Comprehensive Plan have strongly support regulatory flexibilities and incentives for the development of sustainable, affordable housing. Both the White Center Workshop and Brooks Village sites have ongoing planning for potential affordable housing development that could benefit from use of the demonstration project. The Kit's Corner site is not appropriate for affordable housing development.

### B. Recommendation

This study recommends:

- Retaining the development project in K.C.C. 21A.55.101;
- Retaining eligibility for the White Center Workshop and Brooks Village sites, and adding the DPA zoning condition to the parcels to accurately reflect their status; and
- Removing eligibility for the Kit's Corner site, and updating K.C.C. 21A.55.101 accordingly. No zoning change is needed, as the DPA was never formally imposed on the property.

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<sup>9</sup> King County Census Viewer ([arcgis.com](https://arcgis.com)) [LINK](#) Scores range 1 to 5, with higher scores representing a more diverse, less wealthy population.