



**2022 Docket Report**  
**King County Comprehensive Plan**  
April 29, 2022

## **I. About the Docket Process**

In accordance with Revised Code of Washington 36.70A.470, the King County Docket was established in 1998 to provide an opportunity for County residents to register comments on the King County Comprehensive Plan and the associated development regulations. The Docket process, as adopted in King County Code 20.18.140, is available to the public to identify deficiencies (i.e., an absence of required or potentially desirable contents) or to propose changes to the Comprehensive Plan's policies, area-wide land use designations, development regulations, and site-specific land use and zoning.

The Docket process is open continuously and, once a year, all items registered in the previous twelve months are considered. Submittals are compiled into a **Docket Submittals Report**<sup>1</sup> that is made available via the Executive's Comprehensive Plan website and email list. Following this, Executive staff classifies each submittal as appropriate for the annual update (which primarily allows technical updates, corrections, and amendments that do not require substantive changes to policy language, as well as amendments to the King County Code) or the four-year midpoint or eight-year statutory updates (wherein all changes may be considered). This classification guides whether the Docket item could be included in the following year's Comprehensive Plan update or must be considered during a later time.<sup>2</sup> For Docket submittals that require a site-specific change in a land use designation or zoning classification, submitters may be referred to the appropriate process for requesting these changes.<sup>3</sup>

The next phase includes analysis of the requested change(s) by County departments, outreach to the proponent, public engagement (dependent on the type and scale of the submittal), and coordination with relevant entities such as adjacent cities or special purpose districts, again dependent on the submittal. The Executive then determines whether to advance the item as part of the next Executive-recommended Comprehensive Plan update.

On the last business day of April, the Executive transmits a **Docket Report** to the County Council with analysis, recommendations, and supporting collateral materials. The Council then includes all submitters of Docket items in the mailing list for the relevant County Council meetings and notifies them of any other opportunities for public testimony, as it considers the submittals. For docketed changes that are not

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<sup>1</sup> Docket webpage: <https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/king-county-comprehensive-plan/amend/docket.aspx>

<sup>2</sup> King County Code 20.18.140 and 20.18.030

<sup>3</sup> King County Code 20.18.050 and 21A.44.060

recommended by the Executive, the proponent may petition the County Council during its legislative review process to consider the Docket submittal.

## II. Summary of Submittals

King County received nine Docket submittals by the deadline of December 31, 2021 for consideration in the 2022 Docket process. The following table summarizes the 2022 Submittals. The complete set of submitted materials for the 2022 Docket process can be found in the Docket Submittals Report,<sup>4</sup> included as Attachment A. Public comments received on the 2022 Docket is included as Attachment B.

Docket Item	Brief Summary
<b>Area Specific Map Changes</b>	
1. Eric Hudson	<b>Cedar River Critical Aquifer Recharge Area Maps:</b> Request to revise the County's Critical Aquifer Recharge Area (CARA) maps in the Cedar River Valley area for consistency with the United State Environmental Protection Agency (EPA) definitions.
2. Eric Hudson	<b>Cedar River Area Industrial Rezone:</b> Request to change zoning on one parcel (owned by Lakeside Industries) near the Cedar River, reverting it from its current Industrial zone back to Rural Area 5 that it previously had before 2008. Request includes a land use designation change from Industrial to Rural Area.
3. Ashwin Padmanabhan	<b>Sammamish Area Residential Rezone:</b> Request to change zoning on one unincorporated urban parcel in the Swan Lake Potential Annexation Area near the City of Sammamish from Urban Residential 1 (1 unit per acre) to Urban Residential 4 (4 units per acre). Request includes a land use designation change from Urban Residential Low to Urban Residential Medium.
4. Jennifer Potter & Rusty Willoughby	<b>Vashon Island Rezone to Neighborhood Business:</b> Request to change zoning on one parcel on Vashon Island from Rural Area 5 (Rural Area, one unit per 5 acres) to Neighborhood Business to allow for a retail store. Request includes a land use designation change from Rural Area to Neighborhood Business.
5. Scarcella Brothers Inc.	<b>East Auburn Area Industrial Rezone:</b> Request to change zoning on nine rural parcels adjacent to the Pacific Raceways Site near the City of Auburn from Rural Area 5 to Industrial to allow for light industrial uses, including warehousing, distribution, manufacturing, etc. Request includes a land use designation change from Rural Area to Industrial.
6. Sean Foley	<b>Maple Valley Area Split Parcel Rezone:</b> Request to change zoning on one rural parcel near the City of Maple Valley from split zoning (Rural Area 5 and Neighborhood Business) to solely Neighborhood Business. Request includes a land use designation change from Rural Area to Neighborhood Business Center.
7. Richard Miller	<b>North Highline Residential Rezone:</b> Request to change zoning on one unincorporated urban parcel in the North Highline Potential Annexation Area from Urban Residential 8 (8 units per acre) to Urban Residential 24 (24 units per acre). Request includes a land use designation change from Urban Residential Medium to Urban Residential High.

<sup>4</sup> Docket webpage: <https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/king-county-comprehensive-plan/amend/docket.aspx>

Docket Item	Brief Summary
Policy, Text, and Code	
8. Eight Unincorporated Area Councils <sup>5</sup>	<b>Materials Processing in Rural Area:</b> Request to revise King County Code 21A.06.742 Materials Processing Facility to prohibit industrial-scale earth, construction and demolition materials processing, but still allow vegetation and organic materials processing in the Rural Area.
9. Eight Unincorporated Area Councils	<b>Periodic Review and Reclamation Process:</b> Request to revise King County Code 21A.22.050 [Mineral Extraction] Periodic Review to require that the review process include the reclamation phase of a mineral extraction (i.e., mining) operation and closure.

### III. Submittals and Recommendations

King County received nine Docket submittals by the December 31, 2021 deadline for consideration in the 2022 Docket process. The following table lists the Docket submitter(s), identifies the County Council district, and includes the summary of the Docket submittal. This is accompanied by discussion and analysis of the relevant issues, including classification (i.e., eligibility for an annual update or midpoint/eight-year update), background and policy/code review, and concludes with an Executive recommendation.

Docket Item	Council District	Submittal, Background and Recommendation
Area Specific Map Changes		
1. Eric Hudson	9	<p><b>Cedar River Critical Aquifer Recharge Area Maps:</b> Request to revise the County's Critical Aquifer Recharge Area (CARA) maps in the Cedar River Valley area for consistency with the United State Environmental Protection Agency (EPA) definitions. As shown in the Docket Submittals Report, the request addresses a large area within the Cedar River area, primarily in Council District 9.</p> <p><b>Classification:</b> The request proposes a change to a map that is adopted in the King County Code (21A.24.311-315). Substantive changes to the development code are allowed at any time, including annual updates, as long as they are consistent with the policies in the Comprehensive Plan. This change is eligible for consideration in an annual update.</p> <p><b>Discussion and Analysis:</b> All jurisdictions in Washington State are required by the Growth Management Act to define and delineate CARAs within their areas of growth management. For King County, CARA designations are delineated only in unincorporated areas where criteria are met. King County Code 21A.24.313 outlines how the CARA is defined and delineated as follows:</p> <p><b>21A.24.313 Critical aquifer recharge areas — categories.</b> "Critical aquifer recharge areas are categorized as follows:</p>

<sup>5</sup> The parties on this submittal include: Greater Maple Valley Unincorporated Area Council (GMVUAC); Enumclaw Plateau Community Association (EPCA); Green Valley/Lake Holm Association (GV/LHA); Soos Creek Area Response (SCAR); Upper Bear Creek Unincorporated Area Council (UBCUAC); Hollywood Hills Association (HHA); Green River Coalition (GRC); and Friends of Sammamish Valley (FofSV)

Docket Item	Council District	Submittal, Background and Recommendation
		<p>A. Category I critical aquifer recharge areas include those mapped areas that King County has determined are:</p> <ol style="list-style-type: none"> <li>1. Highly susceptible to groundwater contamination and that are located within a sole source aquifer or a wellhead protection area; or</li> <li>2. In an area where hydrogeologic mapping or a numerical flow transport model in a Washington department of health approved wellhead protection plan demonstrate that the area is within the one year time of travel to a wellhead for a Group A water system;</li> </ol> <p>B. Category II critical aquifer recharge areas include those mapped areas that King County has determined:</p> <ol style="list-style-type: none"> <li>1. Have a medium susceptibility to ground water contamination and are located in a sole source aquifer or a wellhead protection area; or</li> <li>2. Are highly susceptible to groundwater contamination and are not located in a sole source aquifer or wellhead protection area; and</li> </ol> <p>C. Category III critical aquifer recharge areas include those mapped areas that King County has determined have low susceptibility to groundwater contamination and are located over an aquifer underlying an island that is surrounded by saltwater." (Ord. 16267 § 50, 2008: Ord. 15051 § 174, 2004).</p> <p>These criteria use data from two sources that have delineated drinking water protection areas: sole source aquifer areas and wellhead protection areas as approved by the EPA and the Washington Department of Health, respectively. The drinking water data is overlain by another dataset which assesses the likelihood of water (and/or contamination) moving into the subsurface. This latter dataset is rated high, medium, or low for its susceptibility – i.e., the likelihood of movement into the subsurface. The resultant CARA dataset allows the maximum amount of protection of drinking water sources through land-use restrictions where it is needed, while allowing for local landowners to use their property without restrictions in areas where impacts are less likely to occur.</p> <p>King County CARA code also includes "source" areas for aquifer recharge. The County categorizes these areas as Category II CARA based solely on the susceptibility, as noted above. These highly susceptible areas are assessed based on physical attributes (soil type, surficial geology, and depth to water data) and provides recharge protection to many areas throughout the County beyond the one "aquifer source" of the Cedar River.</p> <p><b>Executive Recommendation:</b> Based on the discussion and analysis, the Executive does not support the request to change the CARA map to include the "aquifer source area" of the Cedar River sole source area. The Executive also does not support the request to change the CARA code to only include the sole source aquifer mapping as the basis for delineating CARA categories. Rather, the Executive's position is that the existing CARA code balances the need to protect drinking water sources and aquifer recharge areas while allowing residents the ability to appropriately utilize their property.</p>
2. Eric Hudson	9	<p><b>Cedar River Area Industrial Rezone:</b> Request to change zoning on one parcel (owned by Lakeside Industries) near the Cedar River, reverting it from its current Industrial zone back to Rural Area 5 that it previously had before</p>



Docket Item	Council District	Submittal, Background and Recommendation
		<p>2008. Request includes a land use designation change from Industrial to Rural Area.</p> <p><b>Classification:</b> The request proposes a zoning and land use designation change. Substantive changes to zoning and land use are allowed in annual updates, as long as they are consistent with the policies in the Comprehensive Plan. This request is eligible for consideration in an annual update.</p> <p><b>Discussion and Analysis:</b> The proposed change would revert zoning on this parcel to Rural Area 5. This parcel was rezoned to Industrial, with an Industrial land use designation, in the 2008 Comprehensive Plan. That action amended the maps and the corresponding policies related to the "Non-Resource Industrial Uses and Development Standards in the Rural Area" portion of the Comprehensive Plan.</p> <p>There is currently a pending development proposal and associated permit applications (including COMM18-0014) for this property. The proposed use is for asphalt processing – this is an allowed use in both Rural Area and Industrial zones, per the zoning code, Title 21A.08.080 Resource Land Uses. In 2018, King County studied this site (click <a href="#">here</a>). The study concluded that the land use designation and zoning was appropriate, that the permitted uses in the Industrial zone were appropriate, and that sufficient County, State and Federal regulations, mitigations and processes are in place to sufficiently minimize, mitigate or otherwise address land use and environmental impacts that may occur as result of the potential proposed development of industrial uses on this site.</p> <p><b>Executive Recommendation:</b> Based on the discussion and analysis, the Executive does not support this request.</p> <p><b>Note:</b> The Executive received a public comment on this Docket submittal; this is included in Attachment B.</p>
3. Ashwin Padmanabhan	3	<p><b>Sammamish Area Residential Rezone:</b> Request to change zoning on one unincorporated urban parcel in the Swan Lake Potential Annexation Area near the City of Sammamish from Urban Residential 1 (1 unit per acre) to Urban Residential 4 (4 units per acre). Request includes a land use designation change from Urban Residential Low to Urban Residential Medium. Parcel number 2625069099.</p> <p><b>Classification:</b> The request proposes a zoning and land use designation change. This type of zoning and land use change is allowed in annual updates, as long as it is consistent with the policies in the Comprehensive Plan. This request is eligible for consideration in an annual update.</p> <p><b>Discussion and Analysis:</b> As shown in the maps in the Docket Submittals Report, this parcel is part of large block of low-density residential parcels. These parcels are designated R-1 (Urban Residential, 1 unit per acre). This low-density urban designation is adopted for areas that were identified in County planning processes as environmentally constrained. This parcel is</p>

Docket Item	Council District	Submittal, Background and Recommendation
		<p>approximately 1.2 acres in size; this is consistent in size with some adjacent parcels but smaller than the predominant lot size in the surrounding area. Rezoning one parcel in this contiguous block could jeopardize the block of parcels as a whole, particularly given that most are of a larger size. This area is a Potential Annexation Area for the City of Sammamish and access to this parcel, and the contiguous block as a whole, is through the city. Density increases in these types of areas are typically done following annexation, as cities are provided the tools and resources under state law to better serve denser urban areas than the County. The impacts of increased density to County service provision would be further challenged by the lack of access, which must happen through the city.</p> <p>As noted in the Docket submittal, the applicant wishes to remove the existing home and construct two new homes for multi-generational family use. If the zoning does not change, the applicant may be able to pursue development of a detached accessory dwelling unit, subject to the suite of development standards in Title 21A Zoning.</p> <p><b>Executive Recommendation:</b> Based on the service provision efficiency conditions, environmental constraints in the area, and potential impacts to the lot size pattern in the surrounding area, the Executive does not support this request.</p>
4. Jennifer Potter & Rusty Willoughby	8	<p><b>Vashon Island Rezone to Neighborhood Business:</b> Request to change zoning on one parcel on Vashon Island from Rural Area 5 (Rural Area, one unit per 5 acres) to Neighborhood Business to allow for a retail store. Request includes a land use designation change from Rural Area to Neighborhood Business. Parcel number 8887000660.</p> <p><b>Classification:</b> This proposal would require the creation of a new, or expansion of an existing, rural neighborhood commercial center. Either of those actions would likely trigger the need for substantive policy changes in order to be approved. That type of policy change is allowed as part of a four-year midpoint or eight-year update, but not an annual update.</p> <p><b>"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."</b></p> <p><b>Discussion and Analysis:</b> As shown in the maps in the Docket Submittals Report, this parcel is landlocked and surrounded on two sides by a parking lot for the Vashon-Maury Island Ferry northern terminal, and residential parcels on the remainder. Access to the parcel occurs through the parking lot. The permitted retail uses on a Rural Area 5 parcel are limited, much more so than a rural Neighborhood Business parcel. These limits are intended to prevent the</p>

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		<p>encroachment of non-residential and non-resource based land uses in the Rural Area and, instead, to focus them into commercial centers, Rural Towns and, where present, neighboring cities. Vashon has multiple commercial centers, including one near the subject parcel.</p> <p>In order to allow different types of retail uses on the subject parcel, such as the uses proposed by the submitter, the property would need to be rezoned to Neighborhood Business and be changed to have a Rural Neighborhood Commercial Center land use designation. These rural centers are small pockets of commercial development in the Rural Area that provide limited, local convenience shopping, restaurants, and services to meet the daily needs of nearby rural residents.</p> <p>While the creation of new Rural Neighborhood Commercial Centers is prohibited by Comprehensive Plan policy R-501, the policy does speak to expansion of existing centers and this would be accomplished through a subarea study. One of the challenges with expanding the commercial center to include this parcel is that the parcels between it and the nearby commercial center are built out with residential and other uses. The configuration of expanding the commercial center to include this property is challenging and could prove infeasible. This issue, along with other zoning, land use, environmental, public services and facilities issues on this parcel and the surrounding area, would first need to be evaluated in a subarea study. There may also be other remedies through amendments to the King County Code that would not result in the need for a land use or zoning change.</p> <p><b>Executive Recommendation:</b> Based on the discussion and analysis, additional review of the proposal is warranted. The Executive supports evaluating this further as part of the 2024 Comprehensive Plan update.</p>
5. Scarcella Brothers Inc.	9	<p><b>East Auburn Area Industrial Rezone:</b> Request to change zoning on nine rural parcels adjacent to the Pacific Raceways site near the City of Auburn from Rural Area 5 to Industrial to allow for light industrial uses, including warehousing, distribution, manufacturing, etc. Request includes a land use designation change from Rural Area to Industrial. Parcel number(s): 102105-9098, 102105-9097, 102105-9076, 102105-9047, 102105-9036, 102105-9036, 102105-9033, 102105,9056, 102105-9051. Combined, the parcels are approximately 40 acres.</p> <p><b>Classification:</b> The request proposes a zoning classification and land use designation change. Changes to zoning and land use are allowed in Annual updates, as long as they are consistent with the policies in the Comprehensive Plan. Among others, relevant policies are found in the "Non-Resource Industrial Uses and Development Standards in the Rural Area" portion of the Comprehensive Plan, and these policies would need to be amended to allow this change. This means that a substantive policy change would be needed to allow this change, and that type of policy change is allowed as part of a four-year midpoint or eight-year update, but not an annual update.</p>

Docket Item	Council District	Submittal, Background and Recommendation
		<p><b>Discussion and Analysis:</b> This request would change the land from a Rural Area to an Industrial land use designation. These parcels are adjacent to the Pacific Raceways industrial-zoned site. Among others, the following are some of the relevant policies that would need to be revised to allow this change to occur.</p> <p><b>"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."</b></p> <p><b>"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."</b></p> <p><b>"R-515 Existing industrial uses in the Rural Area outside of Rural Towns, the industrial area on the King County-designated historic site along State Route 169 or the designated industrial area adjacent to the Rural Neighborhood Commercial Center of Preston shall be zoned rural residential but may continue if they qualify as legal, nonconforming uses."</b></p> <p>The policies do not support the expansion of Industrial zoning in the Rural Area. As noted in policy R-512, new Industrial-zoned land is to be limited to areas that do not have potential for conversion to residential use. The subject parcels abut a residential area, making this type of conversion feasible. Policies R-513 and R-515 indicate where new industrial uses are to be located, and the subject parcel does not match these locations.</p> <p>Also, given its adjacency and similarity in the proposed designation, it is relevant to note that the Pacific Raceways site was the subject of a suite of land use and zoning changes for more than a decade. In recognition of their state-granted designation as Project of Statewide Significance,<sup>6</sup> among other factors, additional changes were made in the 2020 Comprehensive Plan (<a href="#">map amendment #9</a>) to expand the allowed uses. Substantive requirements were imposed as part of this action to ensure the timely enactment of collateral public environmental benefits. The discussion of the history and site-specific conditions on the Pacific Raceways site are intended to clarify that the 2020 changes should not be understood as a precedent for other Rural Area to Industrial designation changes.</p> <p>In addition to the inconsistencies with existing Comprehensive Plan policies, the expansion of the uses on the Pacific Raceways site, while somewhat mitigated by a conservation easement requirement, will increase impacts on the surrounding residential area adjacent to the subject parcels. Further exacerbating this with another 40 acres of industrial uses, with the applicant-</p>

<sup>6</sup> Chapter 43.157 RCW

Docket Item	Council District	Submittal, Background and Recommendation
		<p>described manufacturing and warehousing/distribution activities, would create disproportionate impacts in this area.</p> <p><b>Executive Recommendation:</b> Based on the discussion and analysis, the Executive does not support this request.</p>
6. Sean Foley	9	<p><b>Maple Valley Area Split Parcel Rezone:</b> Request to change zoning on one rural parcel near the City of Maple Valley from split zoning (Rural Area 5 and Neighborhood Business) to solely Neighborhood Business. Request includes a land use designation change from Rural Area to Neighborhood Business Center. Parcel number 2752200005.</p> <p><b>Classification:</b> This proposal would require the expansion of a rural Neighborhood Commercial Center. This is allowed during an annual update and such a change requires a subarea study. The study would be guided by the relevant policies in the Comprehensive Plan, including policies R-501 through R-503a.</p> <p><b>Discussion and Analysis:</b> As shown in the maps in the Docket Submittals Report, this parcel has two types of land use and zoning; this is referred to as a split-zoned parcel.</p> <p>The majority (about 0.6 acres) of this approximately one-acre parcel has Neighborhood Business zoning, and the remainder (about 0.4 acres) has Rural Area 5 zoning. The current land use and zoning on this parcel appears to have been in place since at least 1980. At that time, as part of a rezone of a portion of the property from residential to business, a development condition was added that limited the size of any new structures to 2,500 square feet; this was related to a potential proposal at that time to develop a gas station on this parcel.</p> <p>Development of this site appears to have started in the early 2000s and, by 2009, the location of the business was straddling the line between rural and the commercial center. In approximately 2012 or 2013, a ramp was built that provided loading access to the back of the site and through the Rural Area-zoned portion of the property, and it appears that a significant portion of the site was paved at that time.</p> <p>The parcels to the south and west of the subject parcel appear to have changed little in the past two decades and both have zero improvement value, indicating they are both essentially vacant of structures. As there are no adjacent residential developments, impacts of this potential land use and zoning changes would have limited impacts on nearby residents.</p> <p><b>Executive Recommendation:</b> Based on the discussion and analysis, the Executive supports this request. Given the size of the parcel, which with current County development standards will limit the overall size of uses on this parcel. The Executive also supports removal of the 40-year old property-specific development condition which is no longer relevant to the initially proposed use of the site. A subarea study and land use and zoning map</p>

Docket Item	Council District	Submittal, Background and Recommendation
		amendment will be included as part of the 2022 annual update to the Comprehensive Plan.
7. Richard Miller	8	<p><b>North Highline Residential Rezone:</b> Request to change zoning on one unincorporated urban parcel in the North Highline Potential Annexation Area from Urban Residential 8 (8 units per acre) to Urban Residential 24 (24 units per acre). Request includes a land use designation change from Urban Residential Medium to Urban Residential High. Parcel number 0623049298.</p> <p><b>Classification:</b> The request proposes a zoning classification and land use designation change. Changes to zoning and land use are allowed in annual updates, as long as they are consistent with the policies in the Comprehensive Plan. This request is eligible for consideration in an annual update.</p> <p><b>Discussion and Analysis:</b> This is the second time that a request has been submitted for this parcel. The first time was in the 2020 Docket and the request was to change zoning from Urban residential-8 to Urban Residential-24. The Executive's Docket Report recommendation in 2020 was to consider this issue as part of the land use and zoning map amendments in the North Highline Community Service Area Subarea Plan.</p> <p>Based upon the review and public engagement conducted as part of the development of the North Highline Subarea Plan, it was proposed in the September 2021 public review draft of the Subarea Plan that the land use designation be changed from Urban Medium to Urban High, and that the zoning classification be changed from R-8 (Urban Residential, 8 dwelling units per acre) to R-18 (Urban Residential, 18 dwelling units per acre). See <a href="#">here</a>, page 13, Map Amendment 2.</p> <p>The density proposed in the Subarea Plan is greater than what exists on the subject parcel today, but lower than what was requested as part of both Docket processes. The stated rationale for the proposed density in the Subarea Plan is to increase the zoned capacity on parcels to provide additional residential development opportunities to increase housing supply and types of housing units. The parcels that are proposed for higher density residential development are in or adjacent to urban centers, near transit corridors, or in areas with or adjacent to high-density residential development. For the subject parcel, the proposed density in the Subarea Plan is identical to the parcel to the east and higher than the parcels to the west.</p> <p><b>Executive Recommendation:</b> Based on the discussion and analysis, the Executive does not support this request but does support the land use and zoning change proposed in the Subarea Plan. The proposed Subarea Plan was transmitted in March 2022 to the Council for review, amendment, and possible adoption by the end of 2022.</p>
<b>Policy, Text, and Code</b>		
8. Eight Unincorporated Area Councils	Primarily 3 and 9	<b>Materials Processing in Rural Area:</b> Request to revise King County Code 21A.06.742 Materials Processing Facility to prohibit industrial-scale earth,

Docket Item	Council District	Submittal, Background and Recommendation										
		<p>construction and demolition materials processing, but still allow vegetation and organic materials processing, in the Rural Area.</p> <p><b>Classification:</b> The request proposes a change to the Zoning Code, King County Code Title 21A. Changes to development regulations such as the zoning code can be made at any time, as long as they are consistent with the Comprehensive Plan. This request is eligible for consideration in an annual update.</p> <p><b>Discussion and Analysis:</b> As defined by the King County Code (see below), materials processing facilities engage in a variety of activities, including those that support Natural Resource Lands-based industries such as mining.</p> <p><b>21A.06.742 Materials processing facility.</b> Materials processing facility:</p> <p>A. A site or establishment, not accessory to a mineral extraction or sawmill use, that is primarily engaged in crushing, grinding, pulverizing or otherwise preparing earth materials, vegetation, organic waste, construction and demolition materials or source separated organic materials and that is not the final disposal site; and</p> <p>B. A site or establishment lawfully established before October 10, 2004, as an interim recycling facility for processing source separated, organic materials. (Ord. 17539 § 23, 2013; Ord. 15032 § 6, 2004)</p> <p>As summarized below, materials processing facilities are a permitted use in a number of zoning classifications, subject to specific development conditions. In the excerpt of development conditions, those applicable to Rural Area zones are highlighted in green.</p> <p><b>21A.08.080 Manufacturing land uses.</b></p> <p>A. Manufacturing land uses.</p> <p style="text-align: right;">P-Permitted Use C-Conditional Use S-Special Use</p> <table border="1" data-bbox="565 1325 1367 1461"> <thead> <tr> <th>Specific Land Use</th> <th>Forest</th> <th>Mineral</th> <th>Rural Area</th> <th>Industrial (11)</th> </tr> </thead> <tbody> <tr> <td>Materials Processing Facility</td> <td>P13 C</td> <td>P14 C15</td> <td>P16 C</td> <td>P</td> </tr> </tbody> </table> <p>B. Development conditions.</p> <p>11. For I-zoned sites located outside the urban growth area designated by the King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C. 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for rural industrial uses as set forth in K.C.C. chapter 21A.12.</p> <p>13. Only on the same lot or same group of lots under common ownership or documented legal control, which includes, but is not limited to, fee simple ownership, a long-term lease or an easement:</p> <p>a. as accessory to a primary forestry use and at a scale appropriate to process the organic waste generated on the site; or</p>	Specific Land Use	Forest	Mineral	Rural Area	Industrial (11)	Materials Processing Facility	P13 C	P14 C15	P16 C	P
Specific Land Use	Forest	Mineral	Rural Area	Industrial (11)								
Materials Processing Facility	P13 C	P14 C15	P16 C	P								

Docket Item	Council District	Submittal, Background and Recommendation
		<p>b. as a continuation of a sawmill or lumber manufacturing use only for that period to complete delivery of products or projects under contract at the end of the sawmill or lumber manufacturing activity.</p> <p>14. Only on the same lot or same group of lots under common ownership or documented legal control, which includes, but is not limited to, fee simple ownership, a long-term lease or an easement:</p> <ul style="list-style-type: none"> <li>a. as accessory to a primary mineral use; or</li> <li>b. as a continuation of a mineral processing use only for that period to complete delivery of products or projects under contract at the end of mineral extraction.</li> </ul> <p>15. Continuation of a materials processing facility after reclamation in accordance with an approved reclamation plan.</p> <p>16. Only a site that is ten acres or greater and that does not use local access streets that abut lots developed for residential use.</p> <p>Materials processing is also an allowed element of the Rural Public Infrastructure Maintenance Facilities use (per King County Code 21A.06.1014F). Additionally, a suite of development standards designed to minimize impacts are applied to mineral processing facilities (per King County Code Chapter 21A.22 Development Standards – Mineral Extraction).</p> <p>As requested, prohibiting industrial-scale earth, construction and demolition materials processing in the Rural Area could have significant impacts on Natural Resource Lands-based activities, potentially undermining the County's ability to support these activities and conservation of these lands as required by the Growth Management Act. The low-densities and mixed-use nature of the Rural Area (i.e., not being limited to residential uses only), along with requirements that jurisdictions assure the conservation of these types of lands (per Revised Code of Washington, 36.70A.170, et al), do not support the requested prohibition. Similarly, prohibiting them on mineral sites where they are accessory to a primary resource use could interfere with meeting resource land requirements under the Growth Management Act requirements.</p> <p>Also, there does not appear to be a defensible rationale to prohibit one subset of activities identified in the request while still allowing the remaining activities; this could be deemed arbitrary and introduce risk into the permitting and regulation process. Finally, allowing these activities in areas close to the natural resource creates business efficiency and may also reduce travel distances for product processing and that would decrease transportation and climate / greenhouse gas impacts.</p> <p><b>Executive Recommendation:</b> Based on the discussion and analysis, the Executive does not support this request. However, the County recognizes that while it has standards and conditions designed to address impacts, these could benefit from a review. As such, the Executive supports reviewing and potentially updating the relevant standards and conditions for these uses in the Rural Area as part of the 2024 Comprehensive Plan update that is beginning in 2022.</p>



Docket Item	Council District	Submittal, Background and Recommendation
9. Eight Unincorporated Area Councils	Primarily 3 and 9, also 8	<p><b>Periodic Review and Reclamation Process:</b> Request to revise King County Code 21A.22.050 [Mineral Extraction] Periodic Review to require that the review process include the reclamation phase of a mineral extraction (i.e., mining) operation and closure.</p> <p><b>Classification:</b> The request proposes a change to the Zoning Code, King County Code Title 21A. Changes to development regulations such as the zoning code can be made at any time, as long as they are consistent with the Comprehensive Plan. This request is eligible for consideration.</p> <p><b>Discussion and Analysis:</b> As shown below, the referenced section of the King County Code addresses development standards for mineral extraction and includes the County's Periodic Review process.</p> <p><b>21A.22.050 Periodic review.</b></p> <p>A. In addition to the review conducted as part of the annual renewal of a mineral extraction or processing operating permit, coal mine permit or materials processing facility permit, the department shall conduct a periodic review of mineral extraction or processing, coal mine, materials processing facility or fossil fuel facility site design and operating standards at five-year intervals from the date of issuance of the permit.</p> <p>B. The periodic review is a Type 2 land use decision.</p> <p>C. The periodic review shall:</p> <ol style="list-style-type: none"> <li>1. Determine whether the site is operating consistent with all existing permit conditions and, if not, establish corrective actions; and</li> <li>2. Apply the most current site design and operating standards to the site through additional or revised permit conditions as necessary to mitigate identifiable environmental, public health and public safety impacts. (Ord. 19146 § 59, 2020; Ord. 15032 § 28, 2004; Ord. 11157 § 21, 1993; Ord. 10870 § 443, 1993).</li> </ol> <p>Applying the periodic review process to the reclamation phase has a number of challenges. Some existing mines in the County are already conducting phased operations, meaning reclamation of one portion of the site is occurring before future phases occur; in these instances, the reclamation activities are already addressed through the existing periodic review process. Other mines are being reclaimed under state rather than local process; this means the County's review process is preempted by the state. Another issue is that past mining activities that may not have been reclaimed are encouraged to do so in most instances, to return the land to a viable land use or mitigate hazards, such as coal mine hazard areas; adding additional permitting processes and costs creates a burden that may discourage this activity. Finally, the County already has controls in place through its permit timelines, renewals of reclamation permits, and through its stormwater program which has an annual inspection program. Adding a separate inspection program could be overlapping and inefficient.</p> <p><b>Executive Recommendation:</b> Based on the discussion and analysis, the Executive does not support this request.</p>

#### **IV. For More Information**

For questions regarding this report, please contact: [compplan@kingcounty.gov](mailto:compplan@kingcounty.gov).

#### **Attachments**

## **Attachment A: Docket Submittals Report**

The Docket process, as adopted in King County Code 20.18.140, directs that the Executive attach to the Docket Report copies of the docket requests. These are compiled into the Docket Submittals Report, as shown on the following pages.

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## 2022 Docket Submittals Report

King County Comprehensive Plan  
January 2022

### I. BACKGROUND

The King County Docket was established in 1998 in accordance with Revised Code of Washington 36.70A.470 and codified at King County Code 20.18.140. The Docket provides an opportunity for the public to register comments on the *King County Comprehensive Plan* and the associated development regulations. The County responds to each item registered on the docket, providing a feedback loop, as required by RCW 36.70A.470. Docket forms are available on the County website and at several county departments. The docket is open continuously with a deadline of December 31 for submitting docketed comments for consideration in the Comprehensive Plan update process. By the last business day of April, a Docket Report with executive responses and recommendations is released.

The information in the Docket Submittals Report includes the *complete set* of materials as they were submitted by the proponent. Providing the Docket Submittals Report to the public early in the process, and even before substantive analysis has occurred, allows for more transparent communication regarding the issues that the County is being asked to consider.

### II. OVERVIEW OF SUBMITTALS

The following items were received by King County by the deadline of December 31 for consideration in this year's Docket process.

#	Name	Brief Summary
Area Specific Map Changes		
1	Eric Hudson	<b>Cedar River Critical Aquifer Recharge Area Maps</b> Request to revise the County's Critical Aquifer Recharge Area (CARA) maps in the Cedar River Valley area for consistency with the United State Environmental Protection Agency (EPA) definitions.
2	Eric Hudson	<b>Cedar River Area Industrial Rezone</b> Request to change zoning on one parcel (the Lakeside Industries property) near the Cedar River, reverting it from its current Industrial zone to Rural Area 5. Request includes a land use designation change from Industrial to Rural Area.

#	Name	Brief Summary
3	Ashwin Padmanabhan	<b>Sammamish Area Residential Rezone</b> Request to change zoning on one unincorporated urban parcel in the Swan Lake Potential Annexation Area near the City of Sammamish from Urban Residential 1 to Urban Residential 4. Request includes a land use designation change from Urban Residential Low to Urban Residential Medium.
4	Jennifer Potter & Rusty Willoughby	<b>Vashon Island Rezone to Neighborhood Business</b> Request to change zoning on one parcel on Vashon Island from Rural Area 5 to Neighborhood Business to allow for a retail store. Request includes a land use designation change from Rural Area to Neighborhood Business.
5	Scarcella Brothers Inc.	<b>East Auburn Area Industrial Rezone</b> Request to change zoning on nine rural parcels near the Pacific Raceways Site near the City of Auburn from Rural Area 5 to Industrial to allow for light industrial uses, including warehousing, distribution, manufacturing, etc. Request includes a land use designation change from Rural Area to Industrial.
6	Sean Foley	<b>Maple Valley Area Split Parcel Rezone</b> Request to change zoning on one rural parcel near the City of Maple Valley from split zoning (Rural Area 5 and Neighborhood Business) to solely Neighborhood Business. Request includes a land use designation change from Rural Area to Neighborhood Business.
7	Richard Miller	<b>North Highline Residential Rezone</b> Request to change zoning on one unincorporated urban parcel in the North Highline Potential Annexation Area from Urban Residential 8 to Urban Residential 24. Request includes a land use designation change from Urban Residential Medium to Urban Residential High.
<b>Policy, Text, and Code</b>		
8	Seven Unincorporated Area Councils: Greater Maple Valley Unincorporated Area Council (GMVUAC); Enumclaw Plateau Community Association (EPCA); Green Valley/Lake Holm Association (GV/LHA); Soos Creek Area Response (SCAR); Upper Bear Creek Unincorporated Area Council (UBCUAC); Hollywood Hills Association (HHA); Green River Coalition (GRC); and	<b>Materials Processing in Rural Area</b> Request to revise King County Code 21A.06.742 <i>Materials Processing Facility</i> to prohibit industrial-scale earth, construction and demolition materials processing, but still allow vegetation and organic materials processing, in the Rural Area.

#	Name	Brief Summary
	Friends of Sammamish Valley (FofSV)	
9	Seven Unincorporated Area Councils: Greater Maple Valley Unincorporated Area Council (GMVUAC); Enumclaw Plateau Community Association (EPCA); Green Valley/Lake Holm Association (GV/LHA); Soos Creek Area Response (SCAR); Upper Bear Creek Unincorporated Area Council (UBCUAC); Hollywood Hills Association (HHA); Green River Coalition (GRC); and Friends of Sammamish Valley (FofSV)	<b>Periodic Review and Reclamation Process</b> Request to revise King County Code 21A.22.050 [Mineral Extraction] <i>Periodic Review</i> to require that the review process include the reclamation phase of a mineral extraction (i.e., mining) operation and closure.

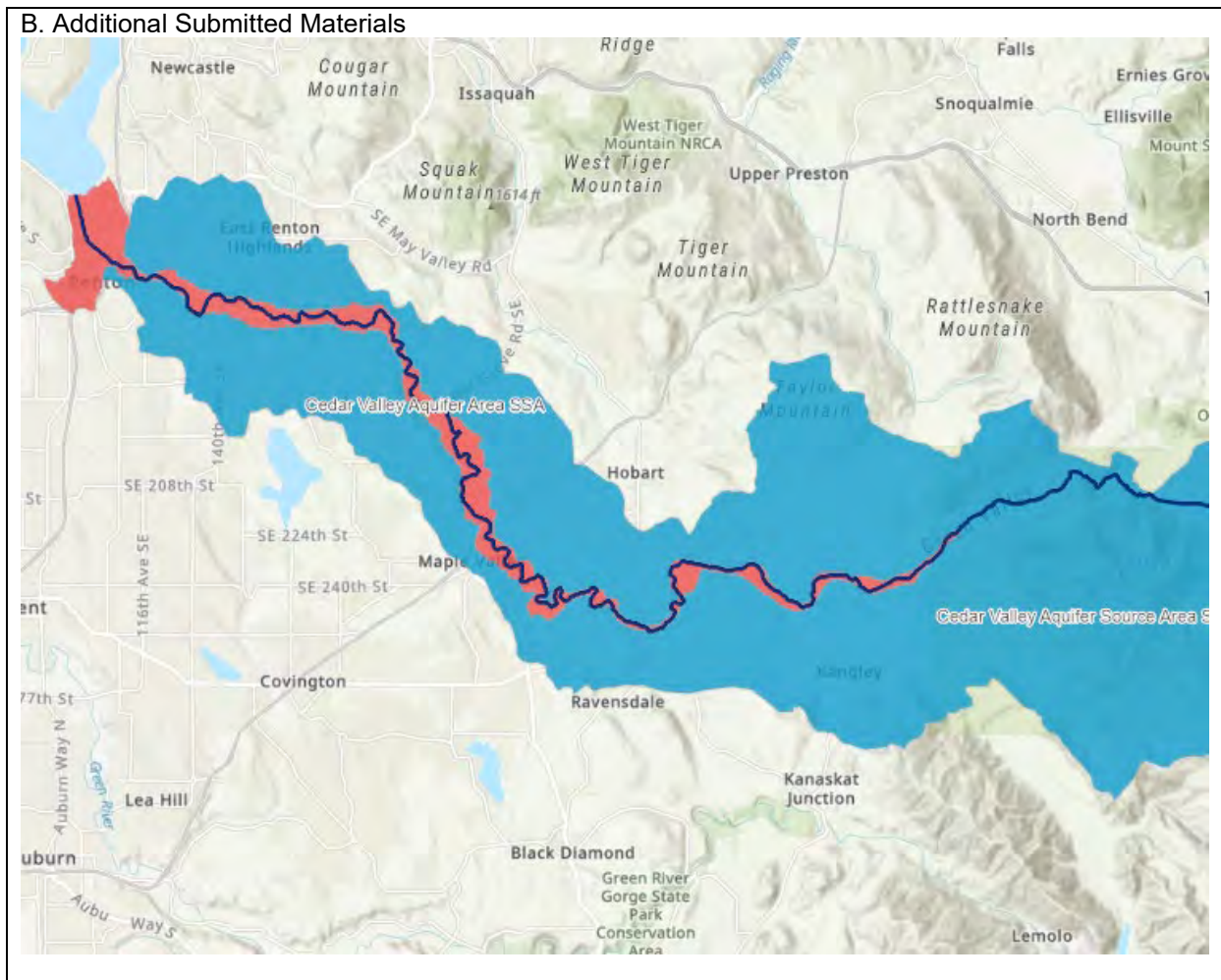
### III. SUBMITTALS

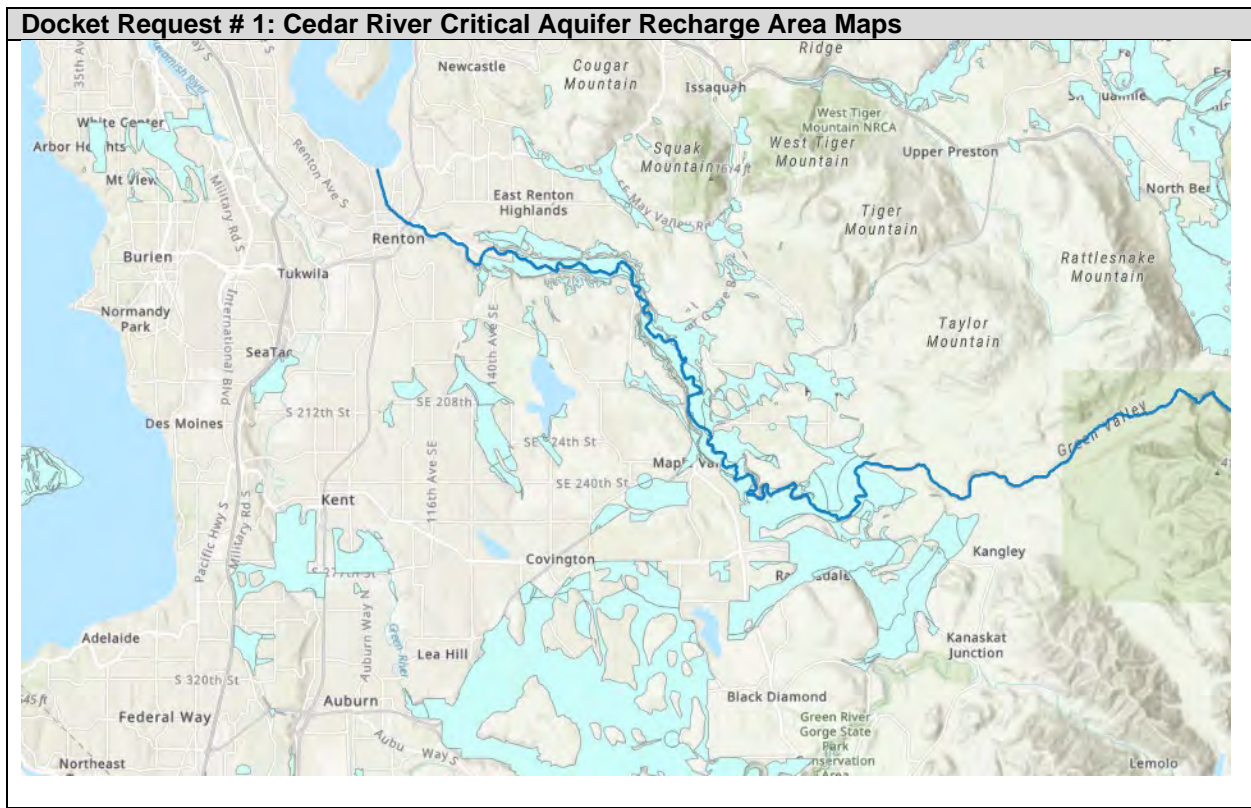
The tables below include all the information provided with the Docket submittal. For clarity and context, but not analytical purposes at this stage in the process, maps are provided by the County that show the vicinity of the area, an aerial photo, the Comprehensive Plan land use designation, the zoning classification, and where relevant the elevations. If special district overlays or property-specific development conditions are present, these are provided as well.

<b>Docket Request # 1: Cedar River Critical Aquifer Recharge Area Maps</b>	
<p><b>Name of Requestor(s):</b> Eric Hudson  <b>Council District:</b> #9  <b>Summary Category:</b> Sensitive Areas Map Change</p> <p><b>Submitted Request</b>  The Critical Aquifer Recharge Area in KC maps for The Cedar Valley Sole Source Aquifer is not in sync with the EPA description of the aquifer. and the CARA needs to be expanded. As described in the EPA Federal Register docket attached (Federal Register Volume 53 No. 191 10/3/1988; FRL-3457-7; FR Docket 88-22621), the Cedar Valley Aquifer is recharged by precipitation which lands on the entire Cedar Valley SSA surface. However, the current King County CARA map shows only a portion of the Cedar Valley SSA area as CARA. The EPA mapping application shows the SSA area is much larger than shown on the King County CARA maps. url: <a href="https://www.epa.gov/dwssa/map-sole-source-aquifer-locations">https://www.epa.gov/dwssa/map-sole-source-aquifer-locations</a></p> <p>See highlighted text in Federal Register listing and image files attached.</p> <p>Since a Sole Source Aquifer is, by definition, a Critical Aquifer, and the recharge area for the Cedar Valley SSA is described as precipitation on the surface area of the Cedar Valley SSA, the entire surface area of the Cedar Valley sole source aquifer should be listed as CARA in King County data. So please update the King County CARA maps to be in sync with the EPA description so that the aquifer can be protected. Thank you.</p> <p><b>Address/Parcel Identification Number</b>  n/a</p>	
<b>Submitted Background Information</b>	
A. Docket Form Answers	
Why amendment is needed or useful?	For the protection of the Cedar Valley Sole Source Aquifer
How is this amendment consistent with the Growth Management Act?	This corrects an error or oversight in an important Critical Aquifer Area, and designation of Critical Aquifers is required by the act



B. Additional Submitted Materials







physically distinct. The Seattle-King County Department of Public Health supported the proposed designation. The Seattle Water Department requested that EPA meet with the Department to discuss the implications of sole source designation.

In response to comments from the King County Geologist, EPA requested that the city of Renton submit an economic analysis for the Covington Drift Plain similar to one presented in the petition for the Renton Highlands. The additional information provided by the county was submitted to the city of Renton for that purpose. The analysis shows that adequate ground-water resources may be obtained from glacial outwash aquifers beneath the Covington Drift Plain but are economically infeasible according to EPA guidelines. EPA agrees that the surface water resources and the shallow ground-water resources of the Cedar Valley drainage basin are hydrologically connected. For this reason, EPA has incorporated the entire Cedar River drainage basin into the streamflow source area.

EPA has contacted the Seattle Water Department and will meet with the Department to discuss the sole source aquifer program and ground-water protection in general. The letter from the Seattle-King County Department of Public Health did not request or require a response.

#### VI. Summary

Today's action only affects the Cedar Valley Aquifer and its streamflow source area in King County, Washington. This action provides a review process to ensure that necessary ground-water protection measures are incorporated into federal financially-assisted projects.

Robie G. Russell,

*Regional Administrator.*

Date: June 8, 1988.

[FR Doc. 88-22621 Filed 9-30-88; 8:45 am]

BILLING CODE 6560-50-M

[FRL-3457-8]

#### Sole Source Designation of the Lewiston Basin Aquifer, Asotin and Garfield Counties, WA, and Nez Perce and Lewis Counties, ID

**AGENCY:** U.S. Environmental Protection Agency.

**ACTION:** Final determination.

**SUMMARY:** Pursuant to section 1414(e) of the Safe Drinking Water Act, the Region 10 Administrator of the U.S.

Environmental Protection Agency (EPA) has determined that the Lewiston Basin Aquifer in parts of Idaho and Washington, is the principal source of drinking water for the Lewiston Basin and that the aquifer, if contaminated, would create a significant hazard to public health. As a result of this action, federal financially-assisted projects proposed in the project review area will be subject to EPA review to ensure that these projects are designed and constructed so that they do not create a significant hazard to public health.

**EFFECTIVE DATE:** This determination shall be promulgated for purposes of judicial review at 1:00 p.m. Eastern time on October 17, 1988.

**ADDRESSES:** The data upon which these findings are based are available to the public and may be inspected during normal business hours at the Asotin County Library, Main Branch, Sixth and Chestnut, Clarkston, Washington, Asotin County Library, Heights Branch, 2036 Fourth Avenue, Clarkston, Washington; Nez Perce County Library, Lapwai Branch, 103 Main Street, Lapwai, Idaho; Lewiston City Library, Tscemicum Branch, 428 Thaine Road, Lewiston, Idaho; Lewiston City Library, Carnegie Branch, Pioneer Park, Lewiston, Idaho; EPA Idaho Operations Office, 422 West Washington Street, Boise, Idaho; and EPA Region 10 Library, 1200 Sixth Avenue, Seattle, Washington.

**FOR FURTHER INFORMATION CONTACT:** Jonathan Williams at (206) 442-1541 or FTS 399-1541.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that pursuant to section 1424(e) of the Safe Drinking Water Act [42 U.S.C., 300f, 300h-3(e), Pub. L. 93-523] the Region 10 Administrator of the U.S. Environmental Protection Agency has determined that the Lewiston Basin Aquifer located in Asotin and Garfield Counties, Washington, and Nez Perce and Lewis Counties, Idaho, is the principal source of drinking water for much of the aquifer service area. Pursuant to section 1424(e), federal financially-assisted projects proposed for construction in the project review area will be subject to EPA review.

#### I. Background

Section 1424(e) of the Safe Drinking Water Act states: "If the Administrator determines, on his own initiative or upon petition, that an area has an aquifer which is the sole or principal drinking water source for the area and which, if contaminated, would create a significant hazard to public health, he shall publish notice of that determination in the *Federal Register*.

After the publication of such notice, no commitment for federal financial assistance [through a grant, contract, loan guarantee, or otherwise] may be entered into for any project which the Administrator determines may contaminate such aquifer through a recharge zone so as to create a significant hazard to public health, but a commitment for federal financial assistance may, if authorized under another provision of the law, be entered into to plan or design the project to assure that it will not so contaminate the aquifer."

On December 27, 1987, the Region 10 Office of the U.S. Environmental Protection Agency (EPA) received a petition from the Asotin County Public Utility District (PUD) requesting that EPA designate the "Russell Aquifer" as a sole source aquifer. The PUD provided additional information through a revised petition which was received by EPA on February 1, 1988.

The "Russell Aquifer" was defined as the upper 800 feet of the Grande Ronde Formation within the Lewiston Basin by a hydrogeological report published in 1980. EPA has combined the Grande Ronde Formation with other water-bearing rocks of the Lewiston Basin and labeled the aquifer system as the Lewiston Basin Aquifer.

In order to obtain public comment, EPA distributed a press release on May 4, 1988, stating that (1) the EPA Regional Office was considering designation of the Lewiston Basin Aquifer as a sole source aquifer, (2) a Resource Document summarizing the bases for the proposal was available for review, (3) public comments were being requested, and (4) a public hearing was to be held on May 17, 1988. Legal notices, announcing distribution of the Resource Document, the public hearing, and the closure date for public comment, were printed in the Lewiston Tribune on May 9, 1988, and the Clarkston Valley American on May 11, 1988. The public hearing was held in Clarkston, Washington, as scheduled, and the public comment period remained open until June 2, 1988.

On May 31, 1988, EPA received a letter from the Idaho Water Resource Board which requested a 60 day extension of the public comment period. EPA granted the request. An additional public meeting was conducted in Lewiston, Idaho on July 19, 1988. Written testimony was received through August 5, 1988.

#### II. Basis For Determination

Among the determinations which the Regional Administrator must make in connection with the designation of an

Name	Case No.	Date	No. of applicants	Total refund
Earl H. Forsch et al.	RF272-24601	8/2/88	169	\$3,631
Johnny F. Mastny et al.	RF272-24602	8/4/88	141	3,844
Town of Farmington et al.	RF272-7725	8/5/88	6	924

**Dismissals**

The following submissions were dismissed:

Name	Case No.
Andy's Texaco	RF265-2168
B. Zaltz and Sons Co.	RF272-58379
Bangor Hydro-Electric Co.	RF272-56282
Blair Oil Co.	RF265-399
Boulevard Getty	RF265-1199
Boyerstown Area School District	RF272-46090
Carl W. Valentini	RF272-47279
Century Furniture Company	RF272-8644
Charles & Dale Pettijohn	RF265-2598
Cherry Hill Getty	RF265-2599
Circle Getty	RF265-2082
City of Mesquite	RF265-2182
Claycoome Skelly Service	RF272-58101
Cousin's Getty	RF266-1142
D&P Getty	RF265-1014
Demers & Sons Cigo	RF265-633
Don's Travel Inn	RF265-684
Ervin C. Cahlin	RF265-1157
Ervin C. Cahlin	RF265-515
Halbur Oil Company	RF265-516
Harman's Getty	RF265-2391
Hokokaa Hospital	RF265-2578
Howard Butane Propane Co., Inc.	RF265-785
J. Fred Smith Skelly	RF272-56215
J.P. Oil Company	RF193-193
Jeffery Oil Company	RF265-1849
John's Getty Servicenter	RF265-2600
Kohala Hospital	RF265-2601
Lattiman-Roberts Company	RF265-1542
Leland Community Unit School District #1	RF265-1543
Pardoe Oil Company	RF265-1545
Parco Oil Company	RF265-2372
Rosewall's Getty	RF272-56219
Roy Mathios Skelly	RF272-54824
Samuel Mahalons Memorial Hospital	RF272-51865
Southern Union Co.	RF265-1795
Stanley Morris Oil Company	RF265-1397
State of Hawaii Diags	RF265-909
Valley Oil Company	RF265-2032
Viking Truck Stop, Inc.	RF265-2033
Vulcan Steam Forging Co.	RF265-2034
Zinsserman Getty	RF272-56222
Zumbo Planting Co., Inc.	RF272-29839
	RF265-62
	RF265-83
	RF272-56220
	RF265-2304
	RF265-2305
	RF265-1558
	RF272-50172
	RF265-10
	RF272-50785

Copies of the full text of these decisions and orders are available in the Public Reference Room of the Office of Hearings and Appeals, Room 1E-234, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except

federal holidays. They are also available in *Energy Management: Federal Energy Guidelines*, a commercially published loose leaf reporter system.

George B. Breznay,  
Director, Office of Hearings and Appeals.  
September 7, 1988.

[RF Doc. 88-22723 Filed 9-30-88; 8:45 am]  
BILLING CODE 6450-01-M

**Western Area Power Administration**

**Boulder Canyon Project Proposed Power Rate**

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice of extension of consultation and comment period for a proposed power rate adjustment.

SUMMARY: The Western Area Power Administration (Western) announced in the Federal Register published June 22, 1988 (53 FR 23446), a proposed adjustment of the rates for power and energy from the Boulder Canyon Project (BCP). In that notice, Western scheduled a public information forum for June 30, 1988, with the consultation and comment period to end August 8, 1988. Western also stated that consideration would be given to an extension of the consultation and comment period if requested by customers or interested parties.

Western received several requests for an extension of 45 days to the originally published consultation and comment period. The basis for the extension was to allow all interested parties an opportunity to review and analyze a new energy forecast, a new method of forecasting future replacement requirements, and new rate calculations. After reviewing those requests for extension, Western concurred with the requests and rescheduled for September 7, 1988, the public comment forum previously scheduled for July 22, 1988. In addition, the ending date of the consultation and comment period was changed to September 22, 1988. This was noticed in the Federal Register at 53 FR 29085, August 2, 1988.

An additional public comment forum has been scheduled. This will allow time for Western to further provide information and for the customers and other interested parties to prepare their

comments. Also, the consultation and comment period has been extended.

DATES: The consultation and comment period which began with the notification of the BCP rate adjustment (53 FR 23446, June 22, 1988) will end November 14, 1988. A public comment forum will be held at 10 a.m. on October 28, 1988.

ADDRESSES: The public comment forum will be held at the Boulder City Area Office, 3 miles south on Buchanan Road, Boulder City, Nevada, on the dates and times cited above. Written comments may be sent to: Mr. Thomas A. Hine, Area Manager, Boulder City Area Office, Western Area Power Administration, P.O. Box 200, Boulder City, NV 89005, (702) 477-3255.

FOR FURTHER INFORMATION CONTACT: Mr. Earl W. Hodge, Assistant Area Manager for Power Marketing, Boulder City Area Office, Western Area Power Administration, P.O. Box 200, Boulder City, NV 89005, (702) 477-3255.

Issued at Golden, Colorado, September 23, 1988.

William H. Clagett,  
Administrator.  
[FR Doc. 88-22721 Filed 9-30-88; 8:45 am]  
BILLING CODE 6450-01-M

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-3457-7]

**Sole Source Designation of the Cedar Valley Aquifer, King County, WA**

AGENCY: U.S. Environmental Protection Agency.

ACTION: Final determination.

SUMMARY: Pursuant to section 1424(e) of the Safe Drinking Water Act, the Region 10 Administrator of the U.S. Environmental Protection Agency (EPA) has determined that the Cedar Valley Aquifer in King County, Washington is the principal source of drinking water for the area and that the aquifer, if contaminated, would create a significant hazard to public health. As a result of this action, federal financially-assisted projects constructed in the project review area will be subject to EPA review to ensure that these projects are design and constructed so that they do



not create a significant hazard to public health.

**EFFECTIVE DATE:** This determination shall be promulgated for purposes of judicial review at 1:00 p.m. Eastern time on October 17, 1988.

**ADDRESSES:** The data upon which these findings are based are available to the public and may be inspected during normal business hours at the Renton City Library, 100 Mill Ave., Renton Washington; King County Library, Maple Valley Branch, 23730 Maple Valley Rd. SE, Maple Valley, Washington; King County Library, Fairwood Branch, 17009 140th SE, Renton, Washington, and EPA Region 10 Library, 1209 Sixth Avenue, Seattle, Washington.

**FOR FURTHER INFORMATION CONTACT:** Jonathan Williams at (206) 442-1541 or FTS 399-1541.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that pursuant to section 1424(e) of the Safe Drinking Water Act (42 U.S.C., 300f, 300h-5(e), Pub. L. 95-325) the Region 10 Administrator of the U.S. Environmental Protection Agency has determined that the Cedar Valley Aquifer located in King County, Washington is the principal source of drinking water for the aquifer service area. Pursuant to section 1424(e), federal financially-assisted projects proposed for construction in the project review area will be subject to EPA review.

#### I. Background

Section 1424(e) of the Safe Drinking Water Act states: "If the Administrator determines, on his own initiative or upon petition, that an area has an aquifer which is the sole or principal drinking water source for the area and which, if contaminated, would create a significant hazard to public health, he shall publish notice of that determination in the Federal Register. After the publication of such notice, no commitment for federal financial assistance (through a grant, contract, loan guarantee, or otherwise) may be entered into for any project which the Administrator determines may contaminate such aquifer through a recharge zone so as to create a significant hazard to public health, but a commitment for federal financial assistance may, if authorized under another provision of the law, be entered into to plan or design the project to assure that it will not so contaminate the aquifer."

On March 3, 1988, the city of Renton, Washington, submitted a petition requesting that EPA designate the Cedar Valley Aquifer as a sole source aquifer. The petition states that the city of

Renton initiated a program to protect its principal source of drinking water in 1983, and considers sole source designation a step which "would support the goals of the aquifer protection program already underway." In order to obtain public comment, EPA issued a press release on May 2, 1988, which stated that (1) the EPA Regional Office was considering designation of the Cedar Valley Aquifer as a sole source aquifer, (2) copies of the petition and a complementary summary document were available for review, (3) a public hearing was scheduled for May 26, 1988, and (4) public comment was sought through June 2, 1988. Legal notices, announcing the availability of the petition and summary document, announcing the public hearing, and requesting public comment until June 2, 1988, were printed in the Valley Daily News (Renton Edition), the Seattle Times, and the Seattle Post-Intelligencer, on May 9, 1988.

#### II. Basis For Determination

Among the determinations which the Regional Administration must make in connection with the designation of an area under section 1424(e) are: (1) Whether the aquifer is the sole or principal sources of drinking water in the area, and (2) whether, if contaminated, a significant hazard to public health would result. Based on the information available to this Agency, the Regional Administrator has made the following findings, which are the bases for the determination noted above.

1. The Cedar Valley Aquifer supplies at least 80 percent of the drinking water used in the aquifer service area, and possibly almost 90 percent.

2. No economically feasible alternative drinking water sources, as defined by EPA guidelines, exist within the area or nearby.

3. Since the aquifer represents the principal source of drinking water for the aquifer service area, contamination of the aquifer would pose a significant hazard to public health.

#### III. Description of the Cedar Valley aquifer

(Information in this section represents an unfootnoted summary of material from: *Support Document for Designation of the Cedar Valley Aquifer as a Sole Source Aquifer*, issued in September of 1988 by the Region 10 Office of Ground Water.)

The Cedar Valley Aquifer consists of recent (post-Vashon glaciation) alluvium deposited by the Cedar River. These sand and gravel deposits cover the low-lying areas of the Cedar River Valley to

a depth of less than 100 feet. The aquifer thickness ranges from 70 to 90 feet within the city of Renton wellfield. The alluvium overlies unconsolidated glacial deposits which, in turn, overlie folded and faulted Eocene to Oligocene sedimentary rocks.

The aquifer materials extend upgradient (east) almost continuously upstream to Cedar Falls. Downgradient (northwest, west, and southwest) from Renton, the sand and gravel deposits fan radially outward and become complexly interlayered with finer-grained material of the ancestral Cedar River Delta before grading into the fine-grained sediments associated with Lake Washington and the Duwamish Valley. Laterally, the aquifer materials abut against older strata along steep walls of the Cedar River Valley.

Water moves easily through the sand and gravel deposits which form a large portion of the Cedar Valley Aquifer. Water-filled pore space between sand and gravel clasts occupy about 25 percent of the aquifer volume. Ground water in the Renton wellfield area generally moves at the rapid rate of about 20 feet per day. Movement of up to 160 feet per day may occur locally. Groundwater moves down gradient through the aquifer in a direction which parallels the general course of the Cedar River.

Aquifer recharge originates as precipitation over the approximately 188 square mile Cedar River drainage area. Rainfall around Renton averages about 39 inches each year, and evaporation only consumes 16 to 22 inches annually. Therefore, 17 to 23 inches of precipitation each year becomes runoff or infiltrates to the ground-water system. Precipitation rates are even higher, and evaporation rates lower, in the higher elevation areas of the drainage basin.

Aquifer recharge occurs from precipitation upon the aquifer surface, subsurface inflow from adjoining strata, surface runoff and seepage from the valley walls, and the Cedar River. No studies which attempt to calculate the relative amounts of recharge from these sources have been published. Water which reaches the surface of the aquifer generally infiltrates easily to the water table because of the preponderance of coarse-grained material in the valley fill. Likewise, sand and gravel within the saturated portion of the valley fill will readily accept water from adjoining strata (although some of the bounding strata will not transmit water easily). Relatively little water enters the aquifer from bounding strata where the aquifer has cut into bedrock or glacial till. In



## Docket Request # 1: Cedar River Critical Aquifer Recharge Area Maps

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38781

contrast, saturated glacial outwash units in contact with the valley fill may transmit great amounts of water to the aquifer. Recharge from the Cedar River probably only occurs during flood stage upstream of the bedrock narrows (about 1 mile east of I-405) judging from water levels in wells near the river.

Downstream from the bedrock narrows, the river is inferred to recharge the aquifer since the river level is generally 5 to 10 feet above the water table.

The difference between surface and ground water elevations in the Renton area suggests that a hydrologic impediment exists locally beneath the Cedar River. In fact, thin layers of peat and clay have been reported near the surface on some borehole logs. Pumping tests for the city of Renton indicate that ground water in the wellfield area moves as in a semi-confined aquifer. Pump test results also suggest that pumping the well field influences ground-water movement on the opposite side of the Cedar River rather than drawing water directly from the river. Ultimately, however, the Cedar River and the aquifer both depend upon precipitation within the Cedar River drainage basin for their recharge.

Ground water from the Cedar Valley Aquifer naturally discharges to the Cedar River above the bedrock narrows, and to Lake Washington and the Duwamish River as underflow. Artificial discharge from the aquifer occurs mostly from the city of Renton's production wells. The city of Renton's wells, all located within a one quarter square mile area, pump at an average rate of 4375 gallons per minute (6.3 million gallons per day). The city reports that water levels in its wells generally drop less than five feet each summer and rebound completely during the winter months. No studies which attempt to calculate the relative amounts of discharge from the aquifer have been published.

The aquifer boundaries correspond to the areal extent of the post-Vashon alluvium of the lower Cedar River Valley. The aquifer materials, deposited by the Cedar River and tributary drainages, occur almost continuously between Renton and Cedar Falls, a distance of about 25 miles. In the Renton area, these Quaternary deposits are labeled Qac and Qas on a 1:24,000 scale map, published by the U.S. Geological Survey, which extends from the western margin of the aquifer to about three miles east of Renton. Outcrop relationships strongly suggest that these aquifer materials also occur beneath artificial fill which covers much of the low-lying areas of Renton. Therefore, areas in Renton mapped as covered by

artificial fill are considered part of the aquifer area. Further upstream, the aquifer materials are labeled Quaternary alluvium (Qa) on 1:24,000 scale maps of the Maple Valley and Hobart Quadrangles contained in a thesis at the University of Washington. Still further upstream, the aquifer materials are labeled Quaternary alluvium (Qa) on a 1:250,000 scale generalized geologic map of King County published by the U.S. Geological Survey.

Since water which recharges the Cedar Valley Aquifer may originate as precipitation anywhere in the Cedar Valley drainage basin, the streamflow source area includes the entire Cedar Valley drainage. In order to prevent federal financially-assisted projects from contaminating ground water, the project review area coincides with the boundaries of the streamflow source area.

Ground water withdrawn from the aquifer by the city of Renton has historically exceeded the public water supply quality standards established by the Washington Department of Social and Health Services (DSHS) and the U.S. Environmental Protection Agency (EPA). Recently, ground-water contamination has been observed in monitoring wells within Renton although not in any of the city's operating water supply wells. Monitoring wells have documented elevated levels of benzene suspected to have originated from leaking underground gasoline storage tanks.

The Cedar Valley Aquifer is highly vulnerable to contamination in the Renton area because of the shallow depth to ground water and the high number of potential sources of contamination in the urbanized area overlying the aquifer. Upgradient (east) of Renton, the lower population density presents fewer potential sources of contamination, but the water level generally lies closer to the surface. Potential sources of contamination include underground storage tank failure, improper storing, handling, or disposal of hazardous materials, accidental spills of hazardous material transported across the aquifer, septic tank effluent, storm runoff, pesticides, and chemical fertilizers. Numerous potential sources of contamination also exist off the surface of the aquifer but within the lower Cedar Valley drainage area. Since the Cedar River and the Cedar Valley Aquifer are hydrologically connected, sources which present a threat to the water quality of the river may also pose a threat to the aquifer.

The city of Renton has identified six potential alternative sources of drinking

water: The Cedar River, Green River, Lake Washington, Seattle Water Department, and glacial outwash aquifers beneath the Renton Highlands and Covington Drift Plain. Surface water appropriation restrictions prevent the city from developing the Cedar River, Green River, or Lake Washington as a source of municipal water. Developing ground-water resources within the Renton Highlands and Covington Drift Plain might provide an adequate alternative supply, but would likely double the typical ratepayer's water bill. The city of Renton petition states that the Seattle Water Department cannot guarantee enough water to replace that now consumed from the aquifer.

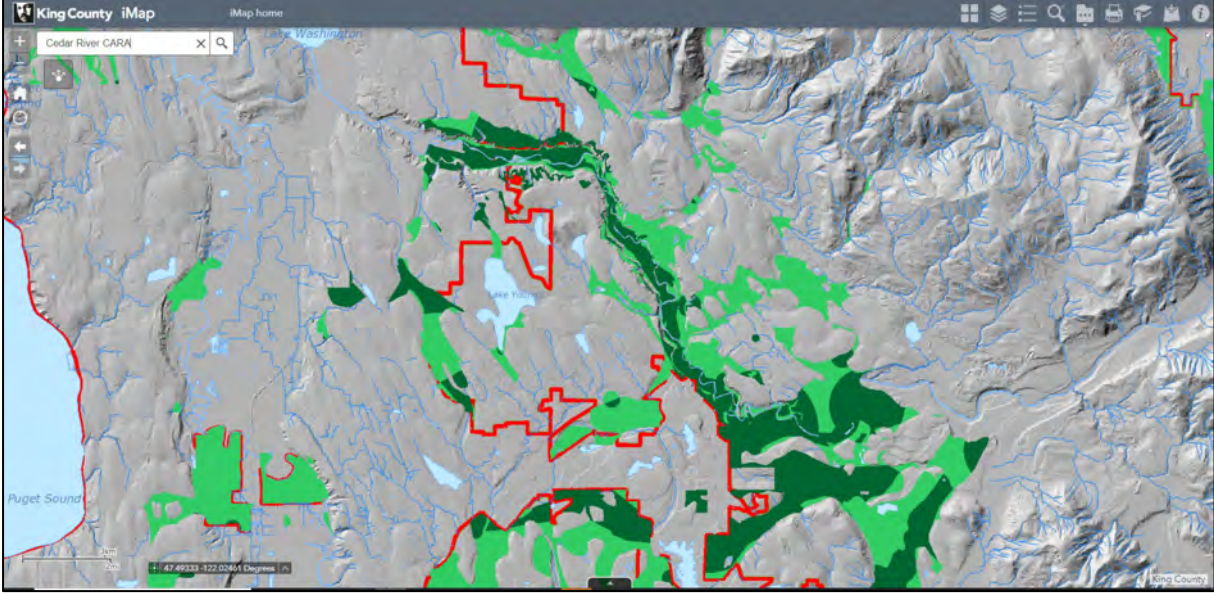
#### IV. Project Review

When the EPA publishes a determination for a sole or principal drinking water source, the consequence is that no commitment for federal financial assistance may be made if the Administrator finds that the federal financially-assisted project may contaminate the aquifer through a recharge zone so as to create a significant hazard to public health [Safe Drinking Water Act section 1424(e), 42 U.S.C. 300h-3(e)]. In many cases, these federal financially-assisted projects may also be analyzed in a National Environmental Policy Act (NEPA) document, 42 U.S.C. 4332 (2)(c).

To streamline EPA's review of the possible environmental impacts upon designated aquifers, when an action is analyzed in a NEPA document, the two reviews will be consolidated, and both authorities will be cited. The EPA review under the Safe Drinking Water Act of federal financially-assisted projects potentially affecting sole or principal source aquifers will be included in the EPA review of any NEPA document accompanying the same federal financially-assisted project. The letter transmitting EPA's comments on the final Environmental Impact Statement to the lead agency will be the vehicle for informing the lead agency of EPA's actions under section 1424(e).

#### V. Discussion of Public Comment

Comments were received from the King County Geologist, the Seattle Water Department, and the Seattle-King County Health Department. The County Geologist, an employee of a branch of the Public Works Department, submitted additional geological and hydrological information about nearby areas, and pointed out that the legal separation between surface and ground-water resources in the area should not be construed to mean that the resources are

<p><b>Docket Request # 1: Cedar River Critical Aquifer Recharge Area Maps</b></p>	
<p><b>County Map of Docket Area</b></p>	
<p><i>Vicinity:</i></p> 	
<p><i>Aerial:</i></p>	<p>n/a</p>
<p><i>Zoning:</i></p>	<p>n/a</p>
<p><i>Land Use:</i></p>	<p>n/a</p>
<p><i>Elevations:</i></p>	<p>n/a</p>
<p><i>Property Specific Development Conditions and Special District Overlays:</i></p>	<p>n/a</p>

<b>Docket Request # 2: Cedar River Area Industrial Rezone</b>	
<p><b>Name of Requestor(s):</b> Eric Hudson  <b>Council District:</b> #9  <b>Summary Category:</b> Land Use and Zoning Map Change</p>	
<p><b>Submitted Request</b>                  This amendment is to correct a deficiency, but it is urgent as the deficiency is resulting in a threat of harm to the Cedar River and KC residents.</p> <p>This amendment will help protect the Cedar River from pollution, and to protect ordinary KC Citizens from an imminent health threat.</p> <p>This is also to be consistent with the KCCP objectives and GMA requirements per RCW 36.70A, which states that Industrial sites should not be located outside the urban growth area. KC Code grants the KCCP hierarchical authority over development regulations.</p> <p>KC Code was violated in 2008 when the KC Council enacted a noncompliant site-specific zoning change to designate one parcel Industrial outside the rural area, effectively breaking up a rural area zone along the Cedar River and causing risk to adjacent properties. More detailed explanation on attached page.</p>	
<p><b>Address/Parcel Identification Number</b>                  Parcels 1923069011, 1923069013, 1923069026, 1923069016, 1923069017</p> <p>Note: Parcel 1923069026 is the only one proposed for changing the zoning. The parcel is approximately 25 acres.</p>	
<b>Submitted Background Information</b>	
A. Docket Form Answers	
Why amendment is needed or useful?	For compliance with the GMA RCW 36.70A.
How is this amendment consistent with the Growth Management Act?	This corrects a deficiency in the zoning and creates a continuous zone of RA-5 parcels across from the Cedar River, restoring the zoning to 1994-2008 to comply with the GMA and KCCP. Some relevant policies in the KCCP are attached. This change restores the zoning to RA-5, compliant with the GMA objectives regarding limitation of Industrial land uses in the rural area.
Requested Change and Rationale	Create a continuous RA-5 zone among the 5 parcels, for the protection of the Cedar River and compliance with the GMA.
Proposed Uses of Parcel	existing compliant uses apply.
How will change affect adjoining parcels?	It will enhance compatibility with surrounding parcels and preserve rural character.
How is change compatible with the surrounding area?	It restores the zoning as it should be, RA-5, which was grandfathered in from 1994-2008.
Additional information?	This deficiency correction will protect the Cedar River and Rural Area.



## B. Additional Submitted Materials

I may not be the property owner of parcel 1923069026, but those who live in a community and are impacted by potential property uses should be able to request zoning changes that are compliant with the Comprehensive Plan. The earth belongs to everyone and every living thing that inhabits it. To grant property owners greater rights will ultimately result in granting the rich greater rights than the poor.

In 2008, the process used to rezone Parcel 1923069026 from RA-5 to Industrial was noncompliant with KC Code, and the GMA.

The 2008 SEPA addendum did not have any analysis as required by the GMA and related state laws. The amendment contradicted KC staff recommendations to leave the zoning at RA-5. The amendment was done at the last possible committee meeting 8/5/2008 after 7 months of public meetings had already been held. so, BMA public participation requirements were violated.

In addition, KC Code Title 20 requires hearing examiner review of site-specific rezones and in 2008 there was no hearing examiner review.

The current zoning of Industrial contradicts the policies listed below as well as the principles of the KCCP in general. RA-5 will still allow Landscaping materials processing to be done on the property, which is what Sunset Materials did.

This request is just to update paperwork to be in sync with the true and legal zoning of RA-5.

Thank you.

- R-514                      Development regulations for new industrial development in the Rural Area shall require the following:
- a.            Greater setbacks, and reduced building height, floor/lot ratios, and maximum impervious surface percentage standards in comparison to standards for urban industrial development;
  - b.            Maximum protection of sensitive natural features, especially salmonid habitat and water quality;
  - c.            Building and landscape design that respects the aesthetic qualities and character of the Rural Area, and provides substantial buffering from the adjoining uses and scenic vistas;
  - d.            Building colors and materials that are muted, signs that are not internally illuminated, and site and building lighting that is held to the minimum necessary for safety;
  - e.            Heavier industrial uses, new industrial uses producing substantial waste byproducts or wastewater discharge, or new paper, chemical and allied products manufacturing uses in the urban industrial zone shall be prohibited; and
  - f.            Industrial uses requiring substantial investments in infrastructure such as water, sewers or transportation facilities, or facilities that generate substantial volumes of heavy gross weight truck trips, shall be reduced in size to avoid the need for public funding of the infrastructure.

- R-515                      Existing industrial uses in the Rural Area outside of Rural Towns, the industrial area on the King County-designated historic site along State Route 169 or the designated industrial area adjacent to the Rural Neighborhood Commercial Center of Preston shall be zoned rural residential but may continue if they qualify as legal, nonconforming uses.

Hello,

Attached I've submitted a docket request to correct a deficiency in the KCCP, and correct the paperwork to properly show RA-5 zoning near the Cedar River as it was from 1994-2008.

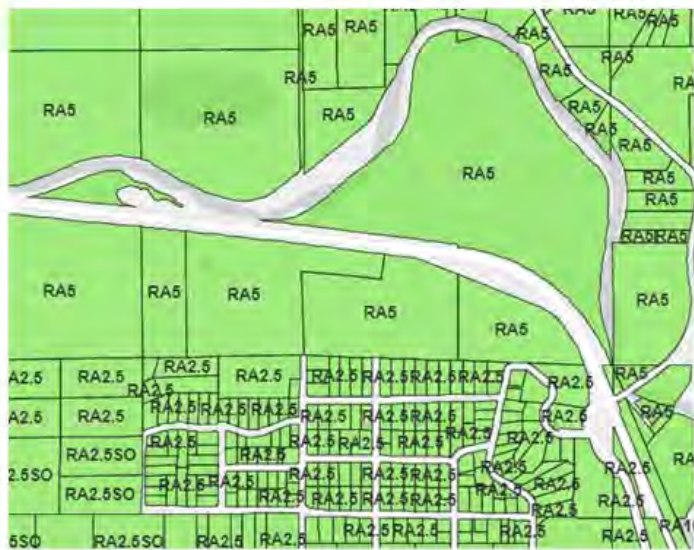
Below, I've corrected the zoning map in the Cedar River vicinity to show the zoning as RA-5, as it properly and rightfully should be since KC Code was violated when it was changed previously.

Besides a noncompliance, this deficiency is also an imminent public health threat and a risk to the environment, since potentially harmful land uses can be allowed, or at least perceived to be allowed, by the improperly enacted Industrial zoning.

Please make this update to correct this deficiency in the KCCP for the protection of the environment and human health.

Thank you for doing your difficult job for which you receive inadequate support from the KC Council and KC gov leadership.

Eric Hudson, P.E.  
License 29785



All,

I would like to add that it even says in the letter DDES sent to Martin Durkan on 10/18/2006 (attached) that a site-specific rezone "must be reviewed by the King County Hearing Examiner"

Below is a snip from the letter

There was no hearing examiner review, therefore the amendment to change to Industrial zoning was invalid.

The neighbors living around the proposed Cedar River Asphalt Plant have rights also. Don't just protect corporations.

The right of the neighbors to life should come before the right of Lakeside to profit

THE ZONING IS RA-5. DENY THE PERMIT.

Please be aware that Site Specific Land Use Amendments must be reviewed by the King County Hearing Examiner, who must hold a hearing and produce a written report to the King County Council. The Council may then consider the site-specific land use amendment during consideration of the next major update of the King County Comprehensive Plan in 2008.

## Docket Request # 2: Cedar River Area Industrial Rezone



King County  
Department of Development  
and Environmental Services  
900 Oakesdale Avenue Southwest  
Renton, WA 98055-1219

October 18, 2006

Martin Durkan Jr.  
330 SW 43<sup>rd</sup> Street, # 357  
Renton, WA 98055

Dear Mr. Durkan:

Thank you for participating in this year's docketing process. We appreciate hearing from you on your proposed change to the King County Comprehensive Plan (KCCP).

In your docket you requested that 25.3 acres of land owned by Goodnight Properties Inc., which you represent, be redesignated from Rural to Industrial.

The following King County Comprehensive Plan policies and text are applicable to your request:

**R-412 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 of Preston.**

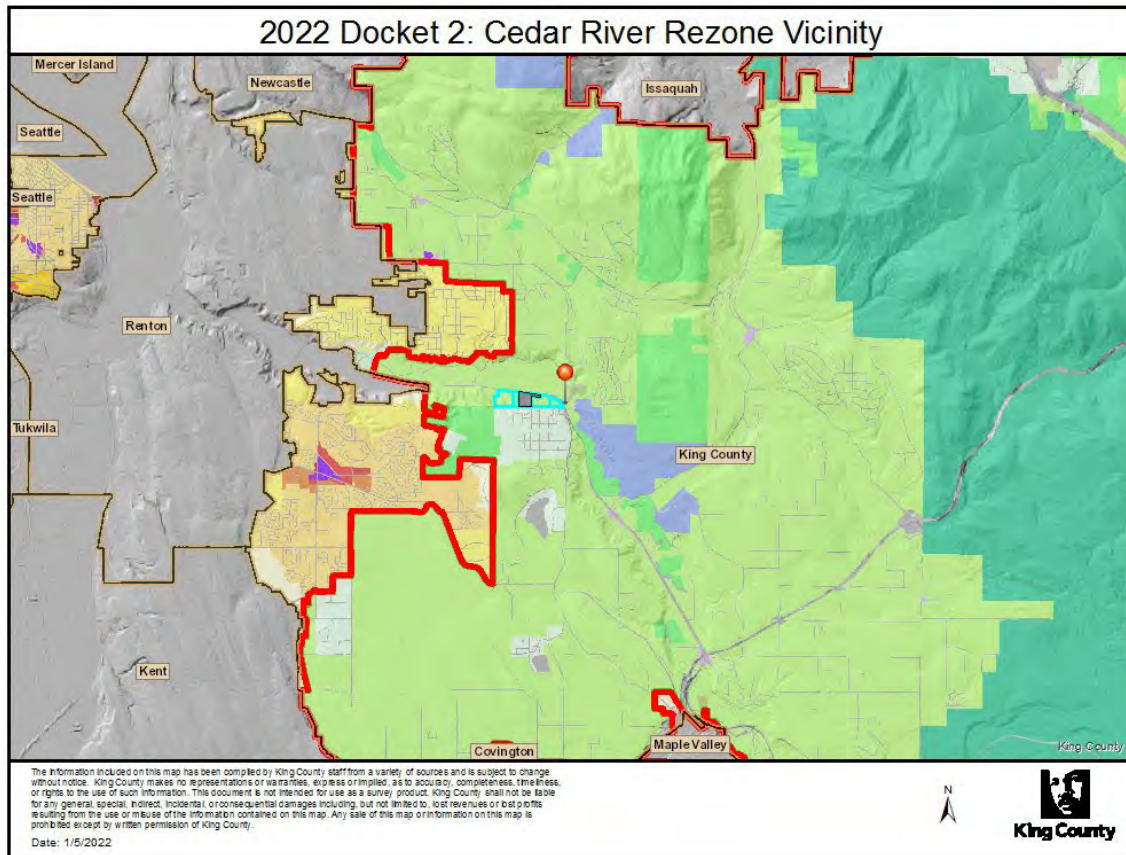
*In order to preserve rural character and protect sensitive natural features, new rural industrial development needs to be of a scale and nature that is distinct from urban industrial development. The scale and intensity and many of the uses allowed in urban industrial development are not appropriate for rural industrial areas. The following policy applies to all new industrial development in the Rural Area.*

**R-413 Development regulations for nonvested industrial development in the Rural Area shall require the following:**

- a. Greater setbacks, and reduced building height, floor/lot ratios, and maximum impervious surface percentage standards in comparison to standards for urban industrial development.
- b. Maximum protection of sensitive natural features, especially salmonid habitat and water quality.
- c. Building and landscape design that respects the aesthetic qualities and

**Docket Request # 2: Cedar River Area Industrial Rezone**  
**County Maps of Docket Area (parcels highlighted in blue)**

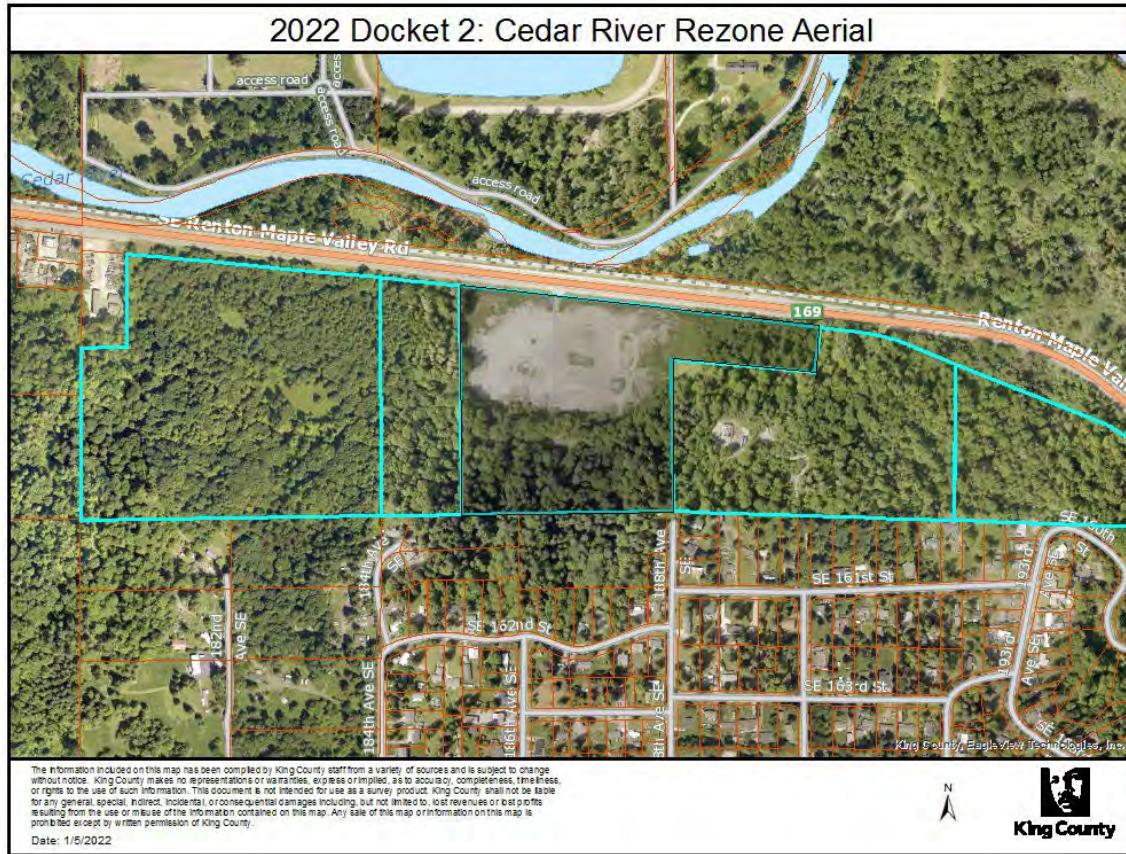
Vicinity:





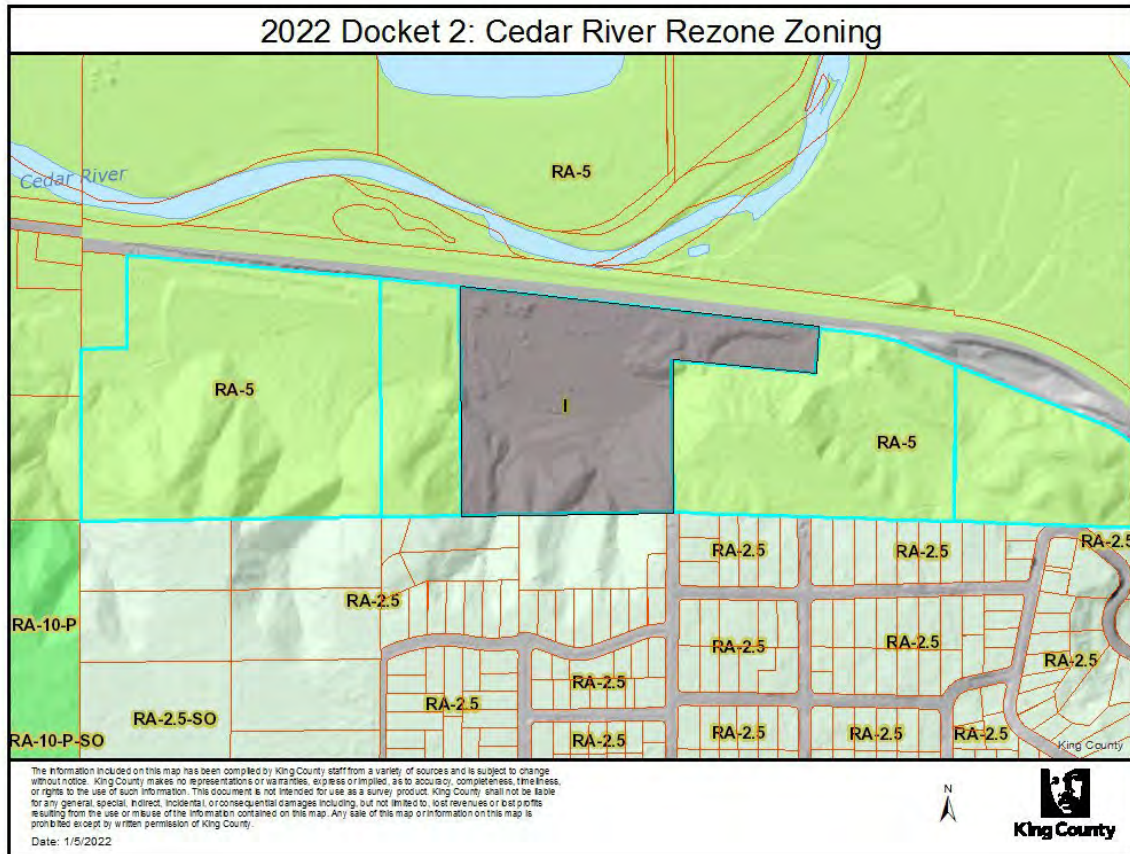
**Docket Request # 2: Cedar River Area Industrial Rezone**

Aerial:



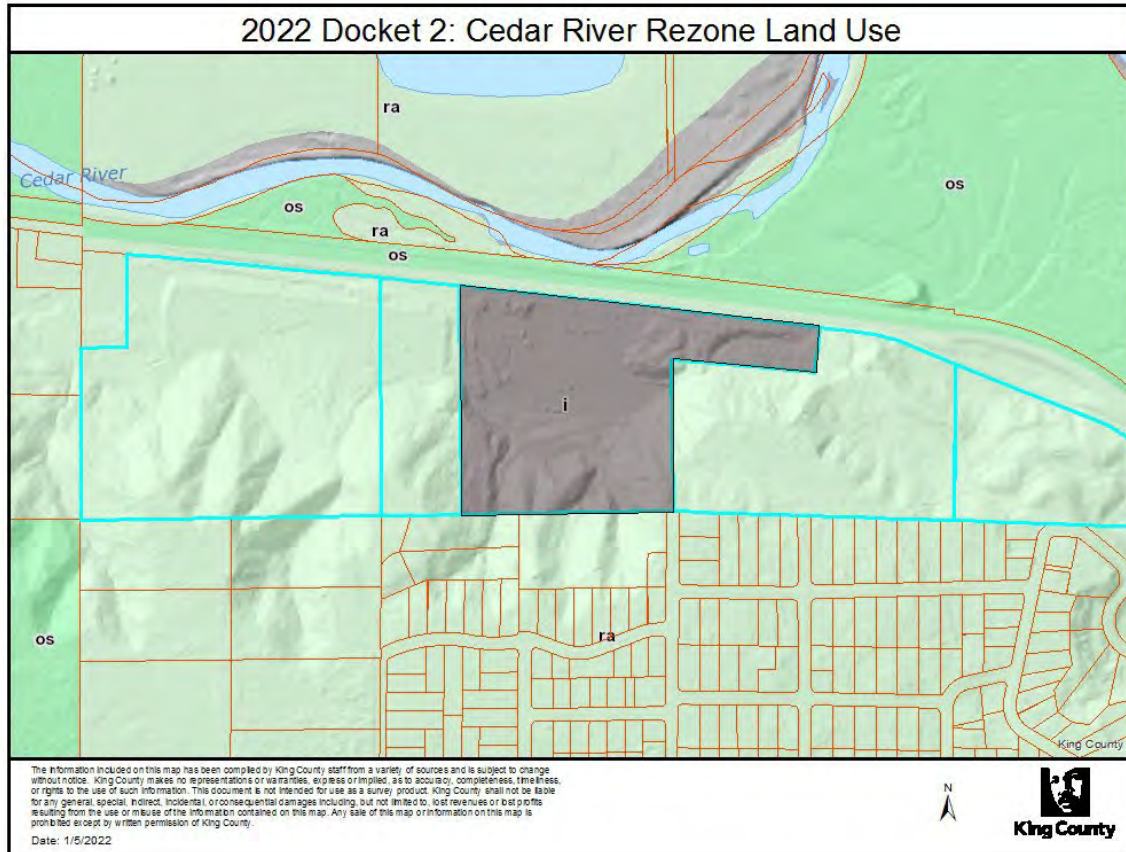
**Docket Request # 2: Cedar River Area Industrial Rezone**

Zoning:



**Docket Request # 2: Cedar River Area Industrial Rezone**

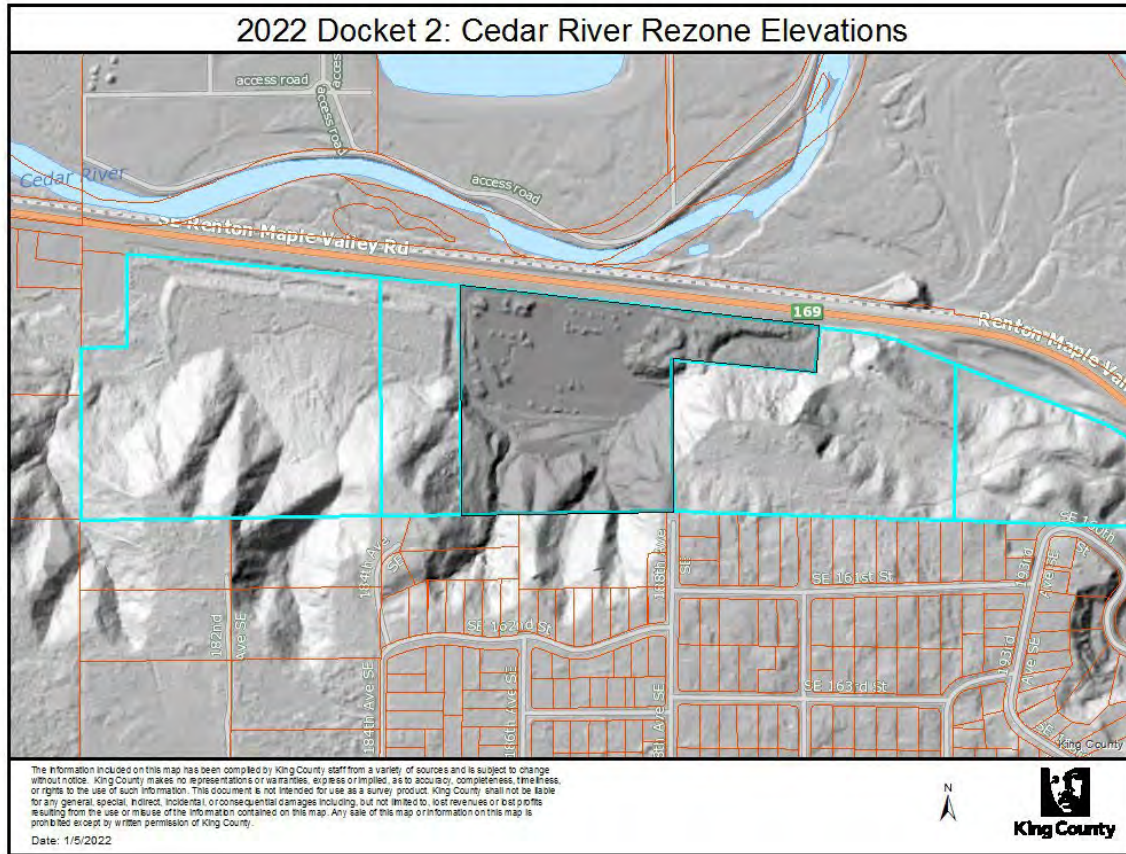
Land Use:





**Docket Request # 2: Cedar River Area Industrial Rezone**

*Elevations*



*Property Specific Development Conditions and Special District Overlays:*  
n/a

<b>Docket Request # 3: Sammamish Area Residential Rezone</b>	
<p><b>Name of Requestor(s):</b> Ashwin Selka Padmanabhan  <b>Council District:</b> #3  <b>Summary Category:</b> Land Use and Zoning Map Change</p> <p><b>Submitted Request</b>                      Redesignation to Medium Residential/Rezone to R-4P. Total acres are 1.21.</p> <p><b>Address/Parcel Identification Number</b>                      2625069099</p>	
<b>Submitted Background Information</b>	
A. Docket Form Answers	
Why amendment is needed or useful?	New environmental information allowing in-fill density in UGA
How is this amendment consistent with the Growth Management Act? <sup>1</sup>	Please see "B. Additional Submitted Materials" below.
Requested Change and Rationale	The Applicant is requesting a land use designation change (from Low to Medium) and zoning classification change (from R-1 to R-4). The property abuts R-4 zoned properties to the west, which exhibit the same environmental characteristics as the subject site.
Proposed Uses of Parcel	The Applicant hopes to go through a 2-lot short plat process with the County. If approved, the Applicant plans to remove the existing home and construct two new homes for multi-generational family use.
How will change affect adjoining parcels	The properties adjacent to the west are zoned R-4. Those neighboring sites are similar in characteristics and are zoned to allow for even greater development than the Applicant hopes to pursue. The parcels abutting the property on the north and east are also zoned R1-P and currently have comparable single-family residences on-site. The property directly south of the subject site (across NE 18th St; also zoned R1-P) possesses a large estate home and ADU.
How is change compatible with the surrounding area	There are presently three different development actions on NE 18th Street and within a 1/4 mile of the subject site. The development happening in this area will significantly increase the density, reducing the rural characteristics that are present now.

<sup>1</sup> Revised Code of Washington, 36.70A and related chapters

## B. Additional Submitted Materials



Date: June 3rd, 2021

To: King County Office of Performance, Strategy and Budget - Comprehensive Planning Manager

From: Encompass Engineering & Surveying on behalf of Ashwin Padmanabhan

Re: Answer to Docket Form Section III Question 3

**APPLICANT**

Ashwin Selka Padmanabhan  
 1316 270<sup>th</sup> Lane SE  
 Sammamish, WA 98075  
[s.p.ashwin@gmail.com](mailto:s.p.ashwin@gmail.com)  
 317-371-7827

**FINDINGS AND CONCLUSIONS FOR THE REDESIGNATION AND REZONING OF THE SUBJECT PROPERTY:**

1. Findings: Density Guidance
  - a. The Growth Management Act (GMA) is a series of state statutes that requires rapidly growing counties and cities to manage their population growth through utilization of Comprehensive Plans.
  - b. Of primary importance is encouraging urban growth within the Urban Growth Boundary to reduce urban sprawl (RCW 36.70A.110).
  - c. The GMA states that zoning densities can be increased to accommodate "reasonable land market supply factor" (RCW 36.70A.110(2)).
  - d. The GMA further guides density and development locations by specifying that urban growth should be located in areas "already characterized by urban growth with adequate public facility and service capabilities" (RCW 36.70A.110(3)).
  - e. The King County Comprehensive Plan RP-203 states the County "shall continue to support the reduction of sprawl by focusing growth and future development in the Urban Grown Areas" (2020 Comprehensive Plan Update, page 1-18).
  - f. One such in-fill area is within the East Sammamish Subarea Plan. While most of this area has been incorporated in the City of Sammamish, the subject property's neighborhood remains in unincorporated King County, immediately adjacent to the Sammamish city limits, and will eventually become incorporated into the City of Sammamish.
  - g. This neighborhood exemplifies the description in the GMA of areas in which to locate density. Northeast 18<sup>th</sup> Street is already built, the utilities are already available in the right-of-way, and services are available locally in downtown Sammamish, 1.5 miles to the southwest of the subject property.
2. Findings: Environmental Information - Availability
  - a. When an environmental area is delineated, an edge is established.

**Western Washington Division**  
 165 NE Juniper St., Ste 201, Issaquah, WA 98027  
 Phone: (425) 392-0250 Fax: (425) 391-3055

**Eastern Washington Division**  
 407 Swiftwater Blvd, Cle Elum, WA 98922  
 Phone: (509) 674-7433 Fax: (509) 674-7419

[www.EncompassES.net](http://www.EncompassES.net)

**Docket Request # 3: Sammamish Area Residential Rezone**

Padmanabhan Redesignation and Rezone

Answer to Section III Question 3

06-03-2021

Page 2 of 2

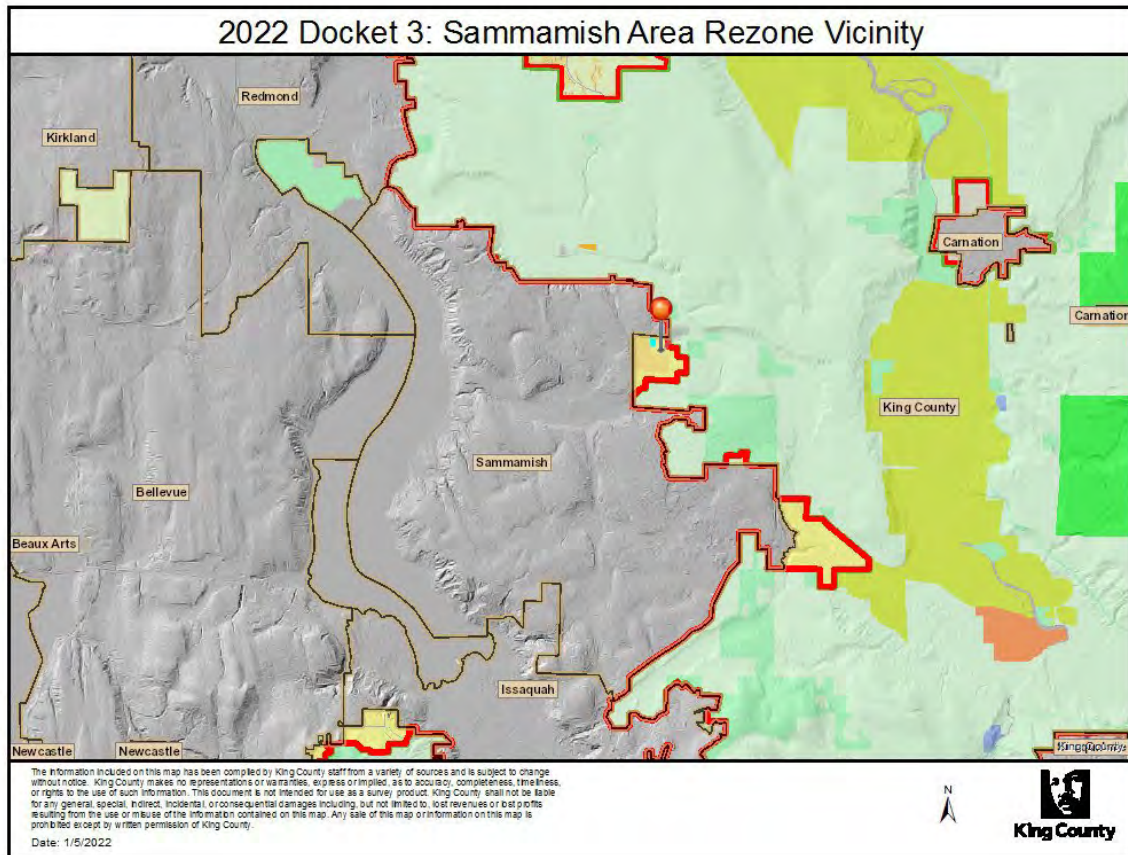
- b. From this edge, there is a buffer or an area of lower development established at a certain distance from the delineated edge of the protected area.
  - c. In the case of the subject property, the area of lower development is not established at a certain distance from the delineated edge. Instead, it conforms to the remainder of the Township-Range in which the protected area is located.
  - d. While arbitrary, this would make sense if the resources, access, or time to establish the exact location of the buffer edge were not available when crafting regulations. In particular, it is unlikely that the County would be allowed access to the privately held properties adjacent to the newly protected area if the process would devalue the property and create unbuildable areas.
  - e. Instead, a general area would be established as a place holder until the County could require additional environmental study through a development application by the owner of the property. This is consistent with land use planning required in the Land Use Element of the Comprehensive Plan.
  - f. However, as information becomes available, these maps require updating.
  - g. In preparation for this rezone application, the applicant retained the services of a consulting biologist, who has prepared an environmental assessment of the property.
  - h. This assessment shows that there are no wetlands or streams on the property as mapped by King County iMap. These features are located on neighboring properties along NE 18<sup>th</sup> St where more dense development is under construction.
  - i. The subject property has some small areas of wetland buffer, the protection of which is already provided in the King County's development regulations, while meeting the density and dimensional requirements for short platting.
3. Conclusion:
- a. New environmental information shows that both density and protection can be achieved in this location.
  - b. Redesignation and Rezoning of this property to Medium Residential and R-4 supports the objectives of the Growth Management Act by achieving in-fill density in an Urban Growth Area while protecting environmentally sensitive spaces.
  - c. Therefore, the King County Comprehensive Plan instructs the County to approve the redesignation and rezoning request.



**Docket Request # 3: Sammamish Area Residential Rezone**

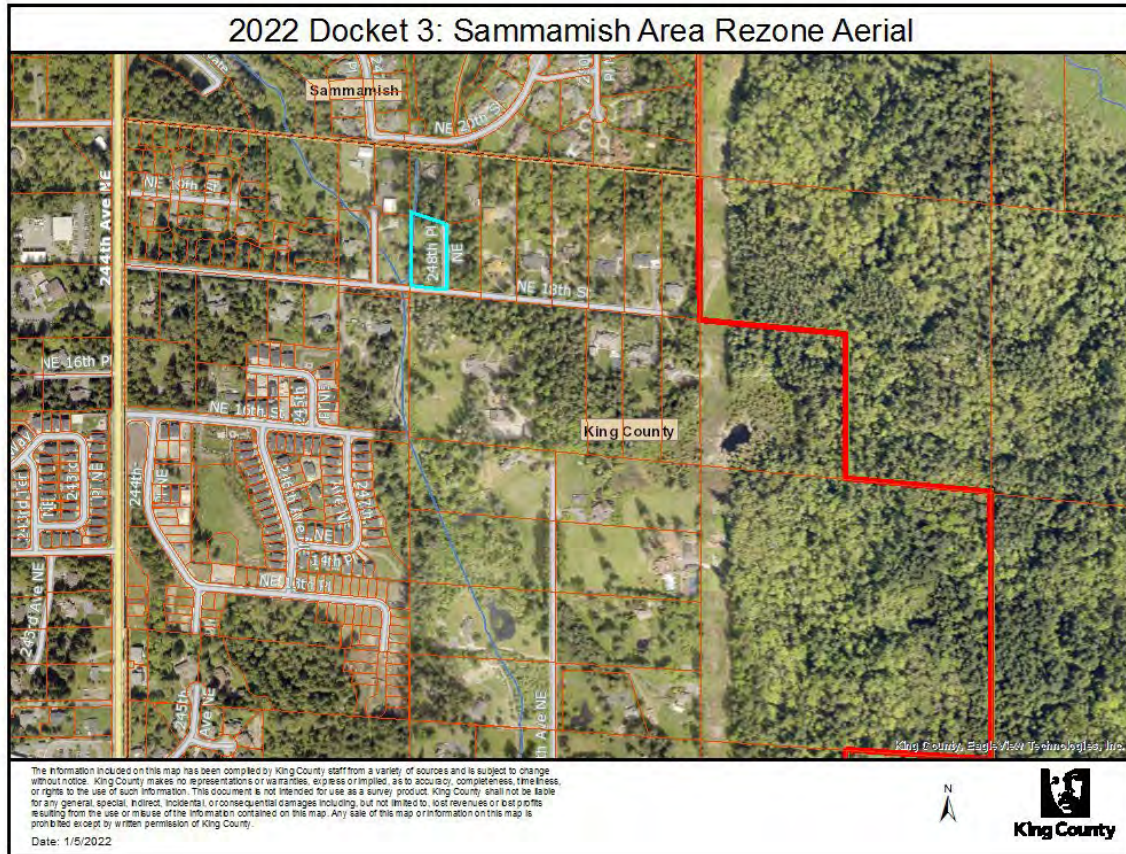
**County Maps of Docket Area (parcels highlighted in blue)**

Vicinity:



**Docket Request # 3: Sammamish Area Residential Rezone**

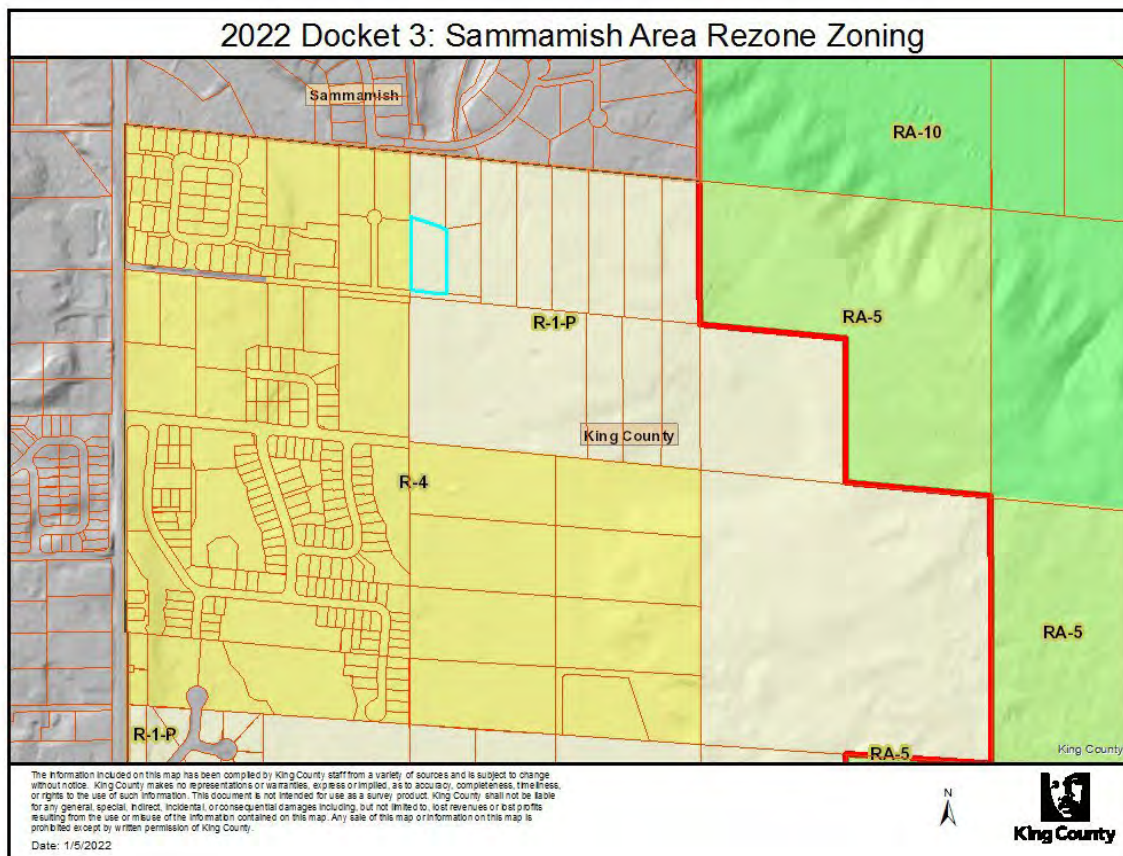
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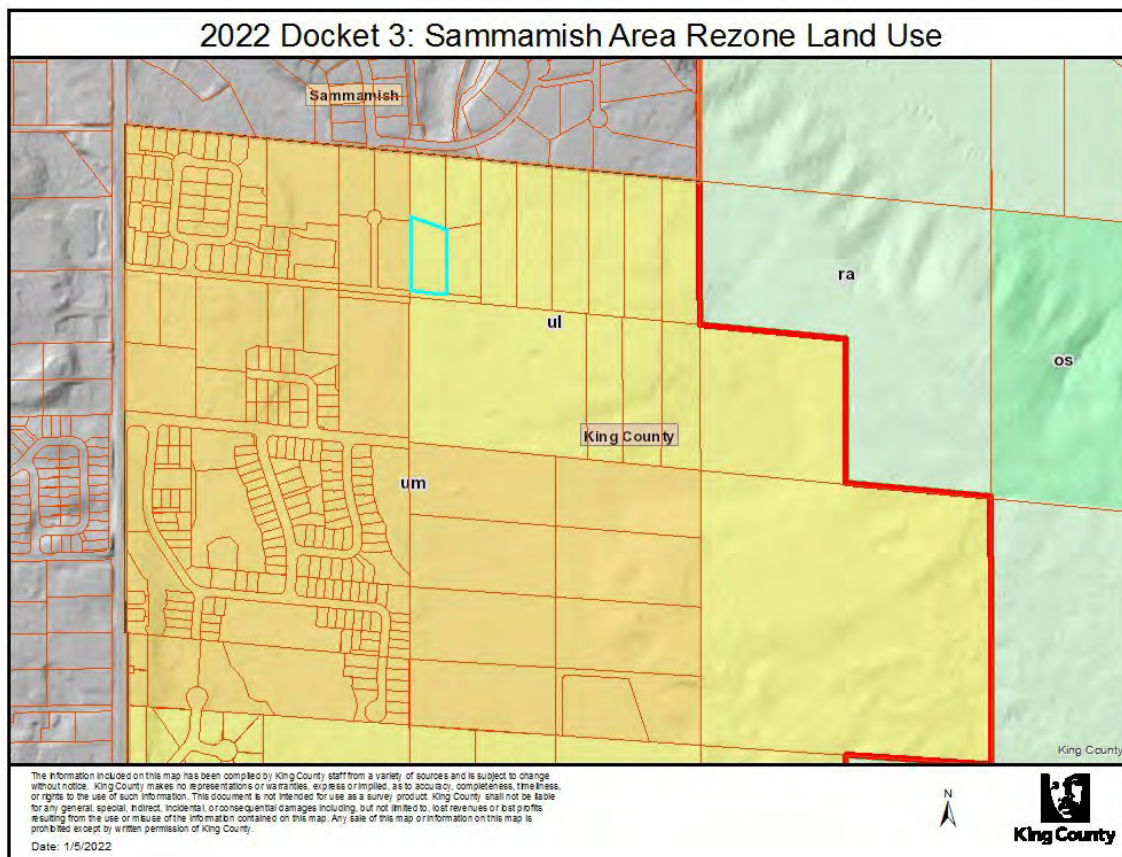




**Docket Request # 3: Sammamish Area Residential Rezone**

Zoning:



**Docket Request # 3: Sammamish Area Residential Rezone***Land Use:**Property Specific Development Conditions and Special District Overlays:***Properties in this area are subject to development condition ES-P20:**

- Description: Wildlife Corridor/Urban Separator.
- Date: Established on August 18, 1997, and amended subsequently by ordinances 13307 (1997), 13232 (1998), and 15028 (2004).
- Summary: Permanent open space for wildlife corridors and urban separators shall be secured through lot clustering on all parcels of land located within the East Sammamish Community Planning Area.
- Link: <https://kingcounty.gov/depts/local-services/permits/property-research-maps/property-specific-development-conditions/Psuffix/EastSammamish/ES-P20.aspx>
- Link to Map: [https://kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/Psuffix-SDO-and-DPA-maps/scans/dc\\_es-p20.ashx?la=en](https://kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/Psuffix-SDO-and-DPA-maps/scans/dc_es-p20.ashx?la=en)



**Docket Request # 4: Vashon Island Rezone to Neighborhood Business**

**Name of Requestor(s):** Jennifer Potter and Rusty Willoughby

**Council District:** #8

**Summary Category:** Land Use and Zoning Map Change

**Submitted Request**

Rezone property from Rural Area-5 to Neighborhood Business to allow former Grange Hall to be used for retail sales such as a neighborhood market.

**Address/Parcel Identification Number**

8887000660

**County Maps of Docket Area (parcels highlighted in blue)**

*Vicinity:*



**Docket Request # 4: Vashon Island Rezone to Neighborhood Business**

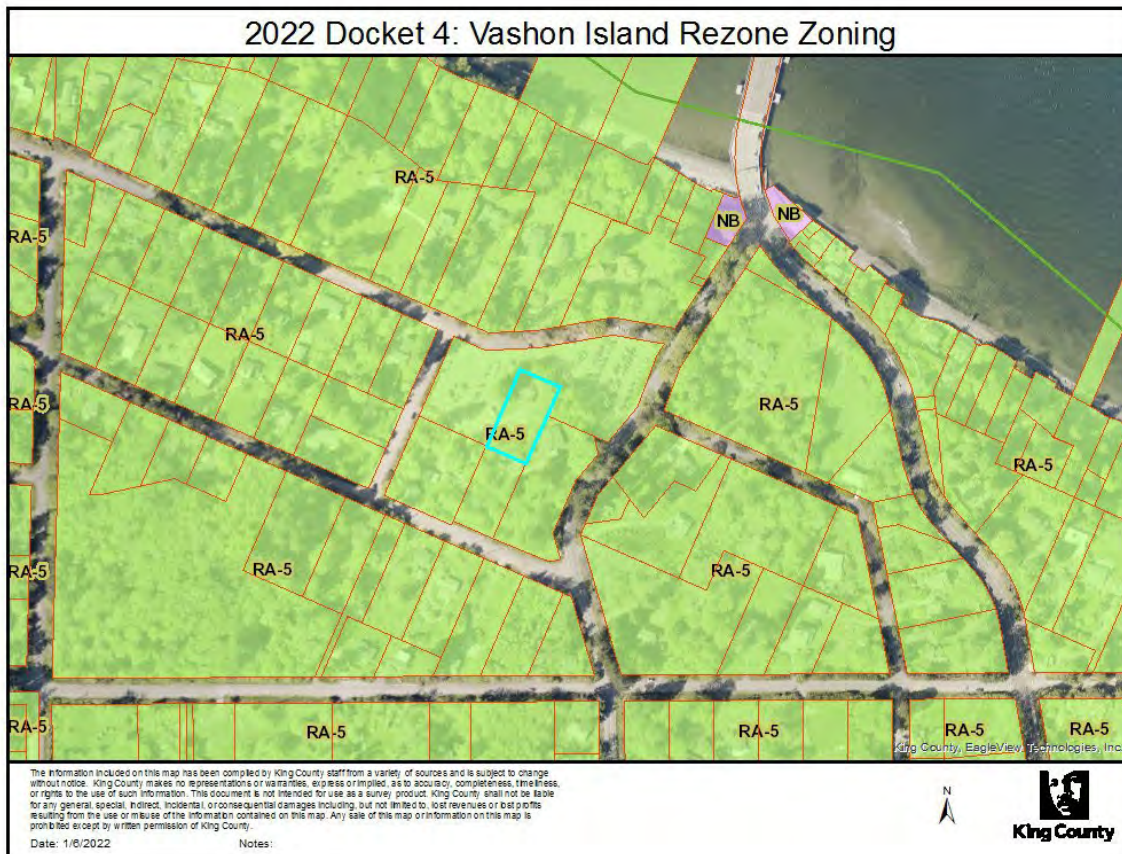
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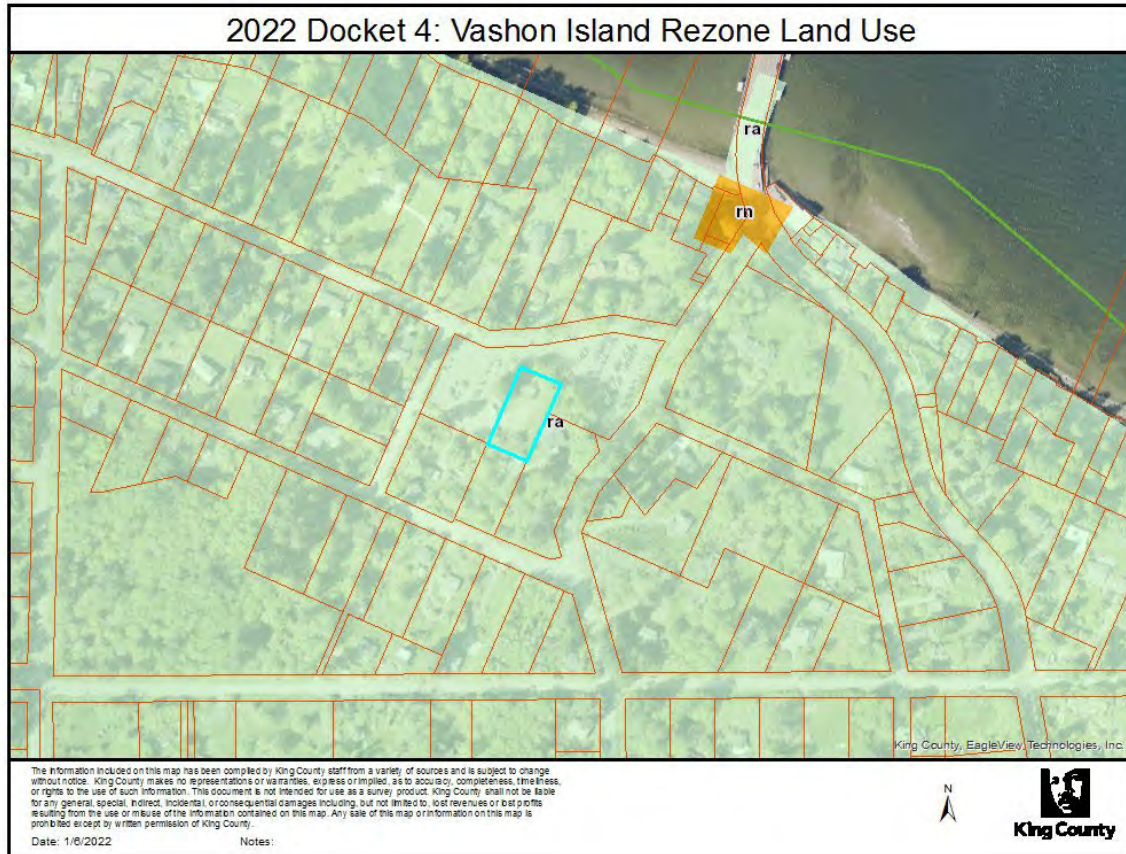
**Docket Request # 4: Vashon Island Rezone to Neighborhood Business**

Zoning:



**Docket Request # 4: Vashon Island Rezone to Neighborhood Business**

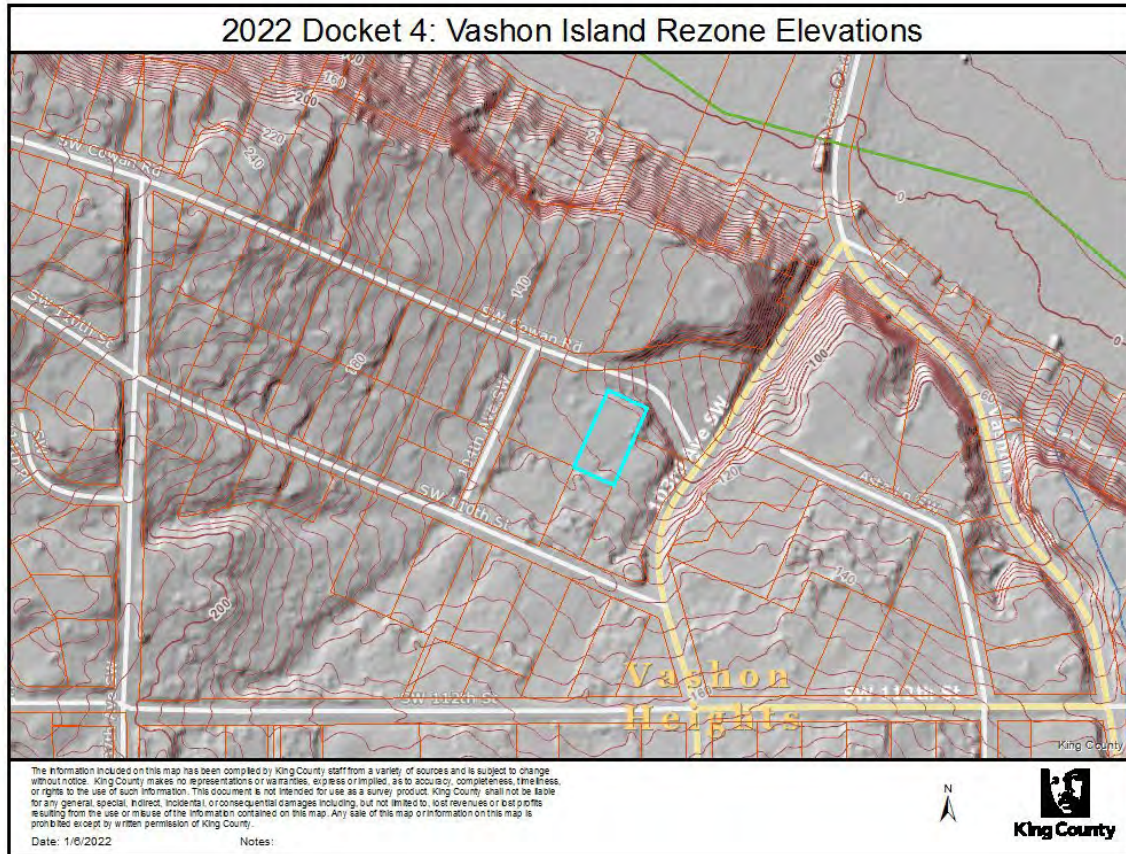
Land Use:





**Docket Request # 4: Vashon Island Rezone to Neighborhood Business**

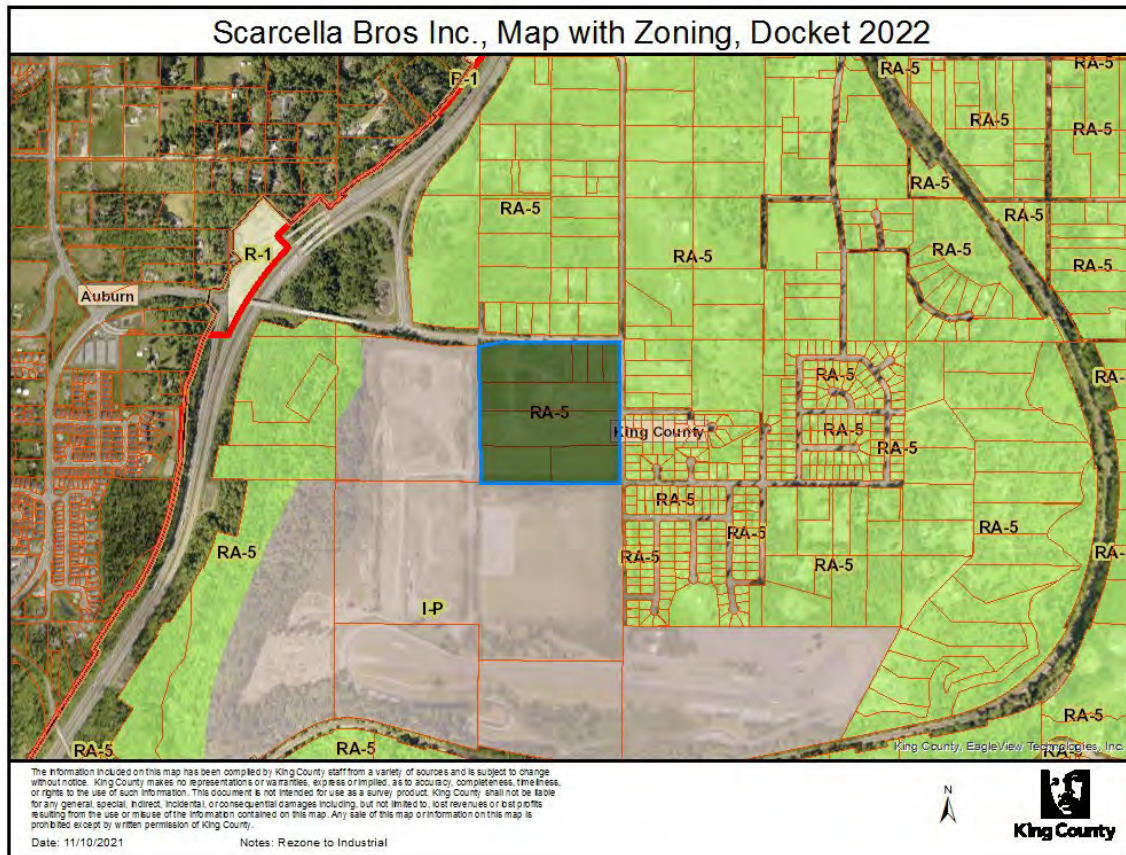
*Elevations:*



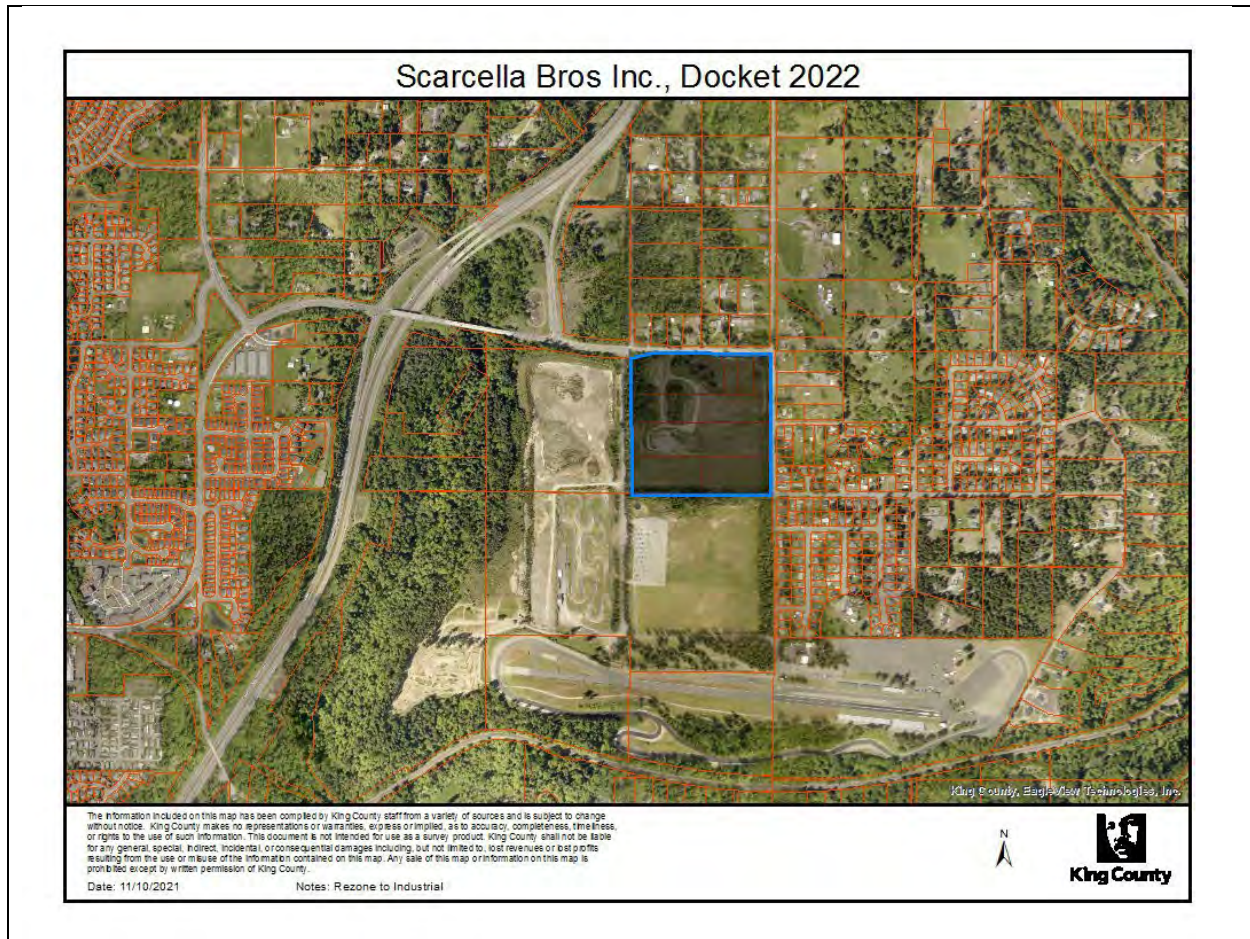
*Property Specific Development Conditions and Special District Overlays:*  
n/a

<b>Docket Request # 5: East Auburn Area Industrial Rezone</b>	
<p><b>Name of Requestor(s):</b> Scarsella Bros Inc.  <b>Council District:</b> #9  <b>Summary Category:</b> Land Use and Zoning Map Change</p> <p><b>Submitted Request</b>  Change land use and zoning to Industrial.</p> <p><b>Address/Parcel Identification Number</b>  East Kent (adjacent to Pacific Raceways Site). Parcel Numbers: 102105-9098, 102105-9097, 102105-9076, 102105-9047, 102105-9036, 102105-9036, 102105-9033, 102105,9056, 102105-9051</p>	
<b>Submitted Background Information</b>	
A. Docket Form Answers	
Is there a Special District Overlay or Property Development Condition?	No. But one is likely to be required (as with neighboring property) to allow for industrial development in this location.
Requested Change and Rationale	Redesignate and rezone 38.59 acres currently RA-5 to I (Industrial) with a P-suffix requiring either a UGA expansion or a specific development conditions in conjunction with the Soos Creek Community Plan. Owners would like to see property developed for additional employment in East Kent central to housing concentrations in Auburn, Kent, Covington, Maple Valley and Black Diamon. Property is adjacent to the Urban Growth Boundary and within one-half (1/2) mile of ingress/egress to Highway 18. Property could support industrial uses, including manufacturing and warehousing/distribution.
Proposed Uses of Parcel	Light industrial uses, including warehousing, distribution, manufacturing, etc.
How will change affect adjoining parcels?	Adjacent parcels include the Pacific Raceway and some rural residential development. The proposal would draw additional traffic to the area (at different times than the raceway), but development of site is not likely to impact adjacent parcels as appropriate buffers, setbacks, etc. would be imposed by existing code.
How is change compatible with the surrounding area?	Proposed change is located on the edge of the existing urban boundary and is adjacent to a raceway. Appropriate buffers, landscaping and other typical code requirements can ensure compatibility with the surrounding area.

B. Additional Submitted Materials

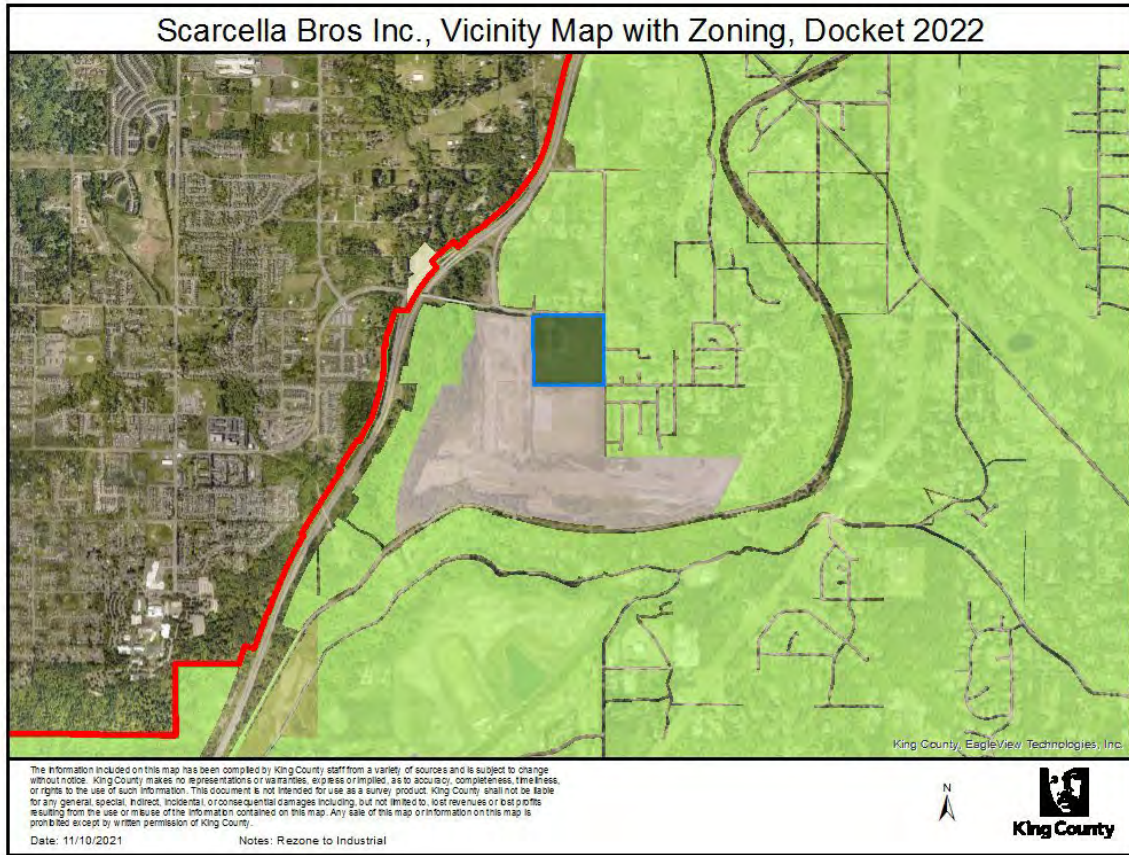








**Docket Request # 5: East Auburn Area Industrial Rezone**



*Property Specific Development Conditions and Special District Overlays:*  
n/a

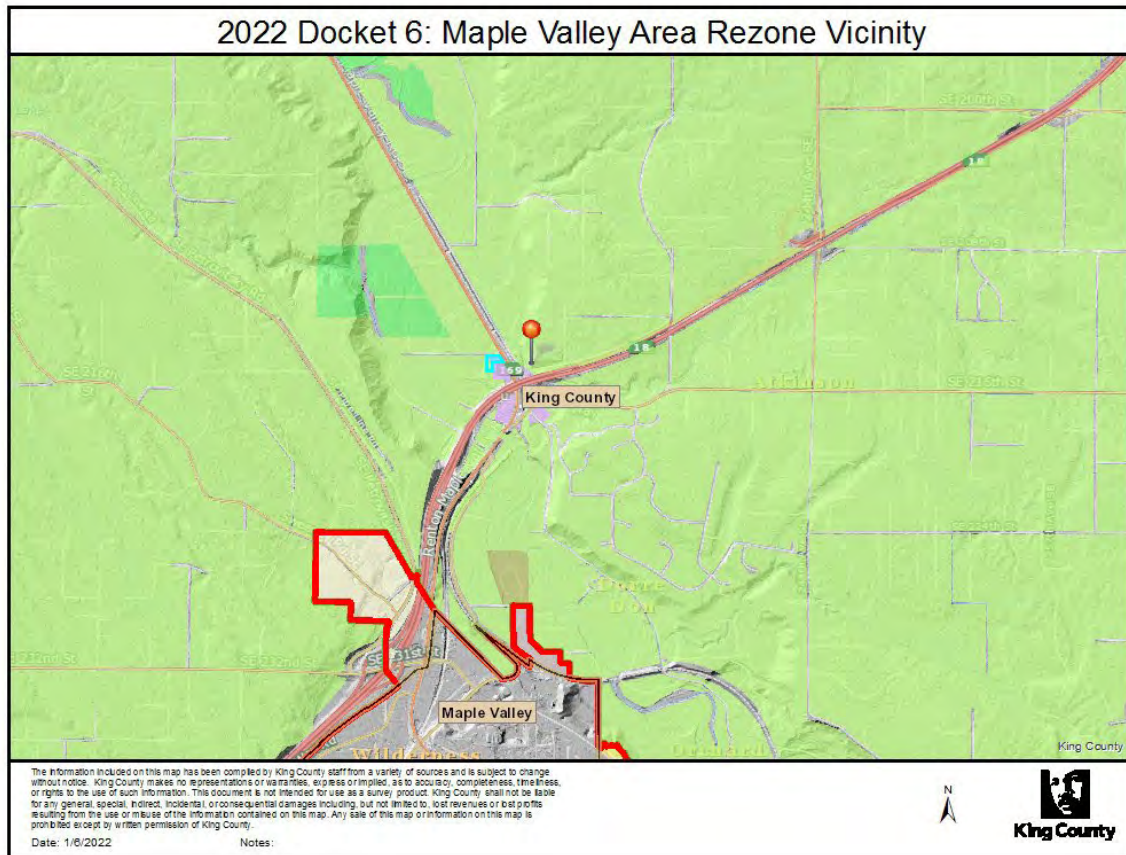
<b>Docket Request # 6: Maple Valley Area Split Parcel Rezone</b>	
<p><b>Name of Requestor(s):</b> Sean Foley, property owner  <b>Council District:</b> #9  <b>Summary Category:</b> Land Use and Zoning Map Change</p>	
<p><b>Submitted Request</b>                      This request is to change the zoning designation of the property (parcel# 2752200005) from a split RA-5/NB-P to be fully zoned as NB (Neighborhood Business).</p>	
<p><b>Address/Parcel Identification Number</b>                      2752200005. Parcel is 1.01 acres.</p>	
<p><b>Submitted Background Information</b>                      A. Docket Form Answers</p>	
<p>Why is this amendment needed?</p>	<p>This amendment is needed to bring this parcel into compatibility with the adjacent properties that are zoned as Neighborhood Business, a zone the County has identified already fits the subject property but due to its split zone (RA-5/NB-P) is limited for commercial development because of an irregular and abnormal boundary. This amendment is also needed to bring the property into compliance with the King County Municipal Code.</p>
<p>What are the expected or desired outcomes of this change?</p>	<p>The expected/desired outcome of this change will remove a split zoned parcel and helps the parcel better match the surrounding uses that are also zoned NB thus creating a fully established Neighborhood Business commercial area for the community. With this change the parcel and existing business would be brought into compliance with the King County Municipal Code.</p>
<p>What are the positive or negative impacts of this change?</p>	<p>Positives from this change will produce a more comprehensive Neighborhood Business area that already serves numerous people in the community. As an existing produce stand that has grown alongside the community, a fully zoned NB parcel will help a local small business continue to grow and provide fresh fruits and vegetables to the community and by all accounts, the available produce is as organic as the growth in the community around it. By providing local produce, this small business provides seasonal jobs in addition to helping people feel better connected to their community and geography. As a rural area a local produce stand helps alleviate food desert concerns as they do not have to rely on imported goods or for affordable and nutritious foods. This business has been in operation for more than 20 years and its success in the community is evidenced by its growth from the community that has supported and relied on it. A change for this parcel only provides positives to its community. Additionally, As the business on this parcel has grown unpermitted development occurred. As such a change to the parcels zoning would mitigate concerns of non-compliance to better free up King County resources. A change to a fully NB zoned parcel would ease the process in bringing the existing community produce business into compliance with King County standards. Negative impacts if this rezone and designation is denied would mean the local produce stand that serves the community would have to significantly scale back its business thus preventing the local community from fresh and affordable fruits and vegetables.</p>

<b>Docket Request # 6: Maple Valley Area Split Parcel Rezone</b>	
How is this amendment consistent with the Growth Management Act?	<p>This amendment is consistent with RCW 36.70A.070(5)(b); (c)(ii); (d)(i); and(C)(iv) among others for Rural Development.</p> <p>(5)(b) - A rezoned parcel to NB helps accommodate rural economic advancement in an area not characterized by urban growth and as s permitted use of a produce stand is consistent with rural character.</p> <p>(c)(ii) - A fully zoned NB parcel would assure visible compatibility of rural development with the surrounding area (as a split zoned parcel, King County has already identified this parcel as an area considered Neighborhood Business). This requested change would fully implement the County vision for this property and area)</p> <p>(d)(i) - The rural element allows for limited areas of intensive rural development. As an existing commercial development, a fully zoned NB promotes infill for an area the county has already identified as a commercial space and any potential further development or redevelopment of the property.</p> <p>(C)(iv) - Development use, the existing local produce stand, is consistent with the character of the existing area and conforms to the new use (that was already identified by the county), of a Neighborhood Business. As such setting the NB zone along an established parcel line is a logical outer boundary of more intensive development that was illogically established by the County and did not preserve the character of the existing community, conform to physical boundaries, and did not prevent an irregular and abnormal boundary.</p>
Is there a Special District Overlay or Property Development Condition?	Subject Parcel has a -P Suffix for property-specific development standards as indicated on the King County iMAP zoning layer
Requested Change and Rationale	Change the Split Zoned RA-5/NB-P Parcel to a single NB zone. fully zoned will bring the property into consistency with the neighboring adjacent properties and further allow for commercial development. As a currently split zoned parcel, commercial development is limited for a local produce business that has been in operation and grown substantially over the years in tandem with the community.
Proposed Uses of Parcel	Neighborhood Business for local produce stand.
How will change affect adjoining parcels?	This will bring the property into a fully zoned Neighborhood Business parcel that is in line with all neighboring parcels on Renton-Maple Valley Rd.
How is change compatible with the surrounding area?	The adjacent parcels on Renton-Maple Valley Rd are all fully zoned NB. The subject property is the only split zoned parcel in the vicinity. The requested change will ensure full compatibility with the surrounding area and establish a full NB area.
<p><b>B. Additional Submitted Materials</b>                      The requester submitted 41 pages of additional materials. These are included at the end of the Docket Submittals Report as Attachment A.</p>	

**Docket Request # 6: Maple Valley Area Split Parcel Rezone**

**County Maps of Docket Area (parcels highlighted in blue)**

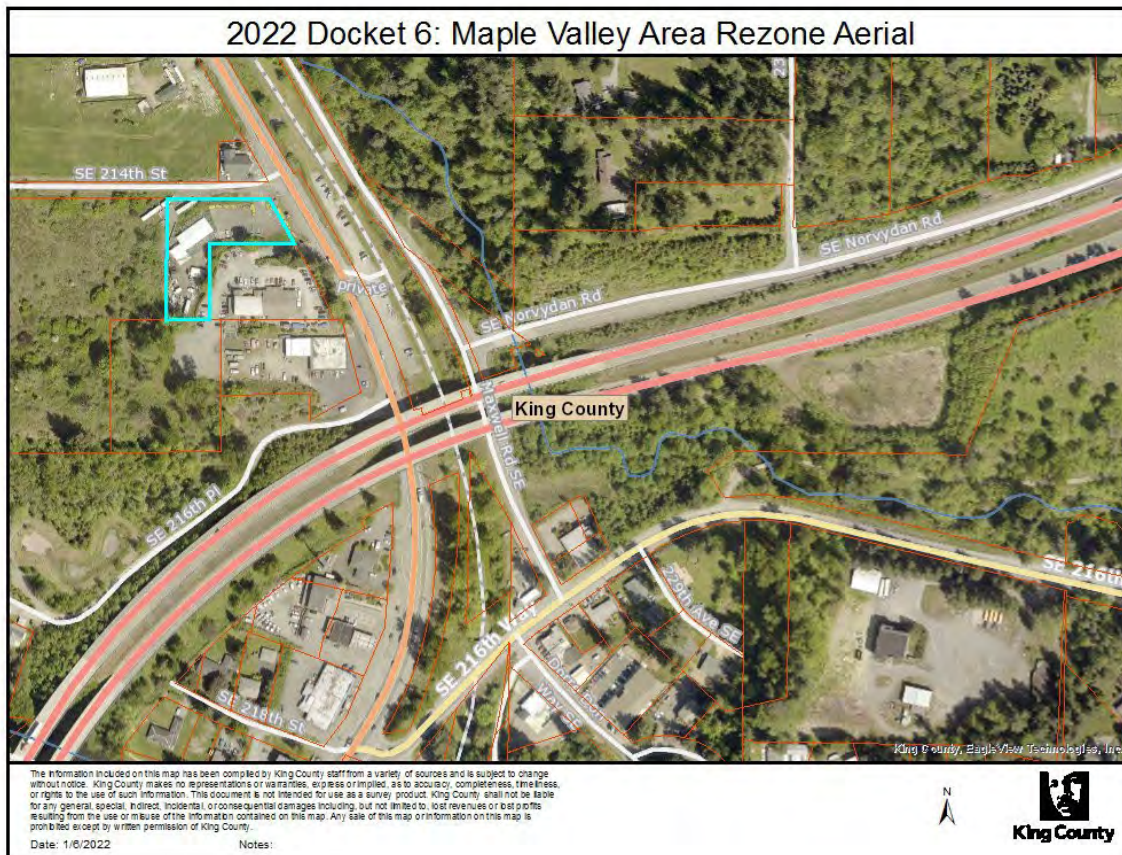
Vicinity:





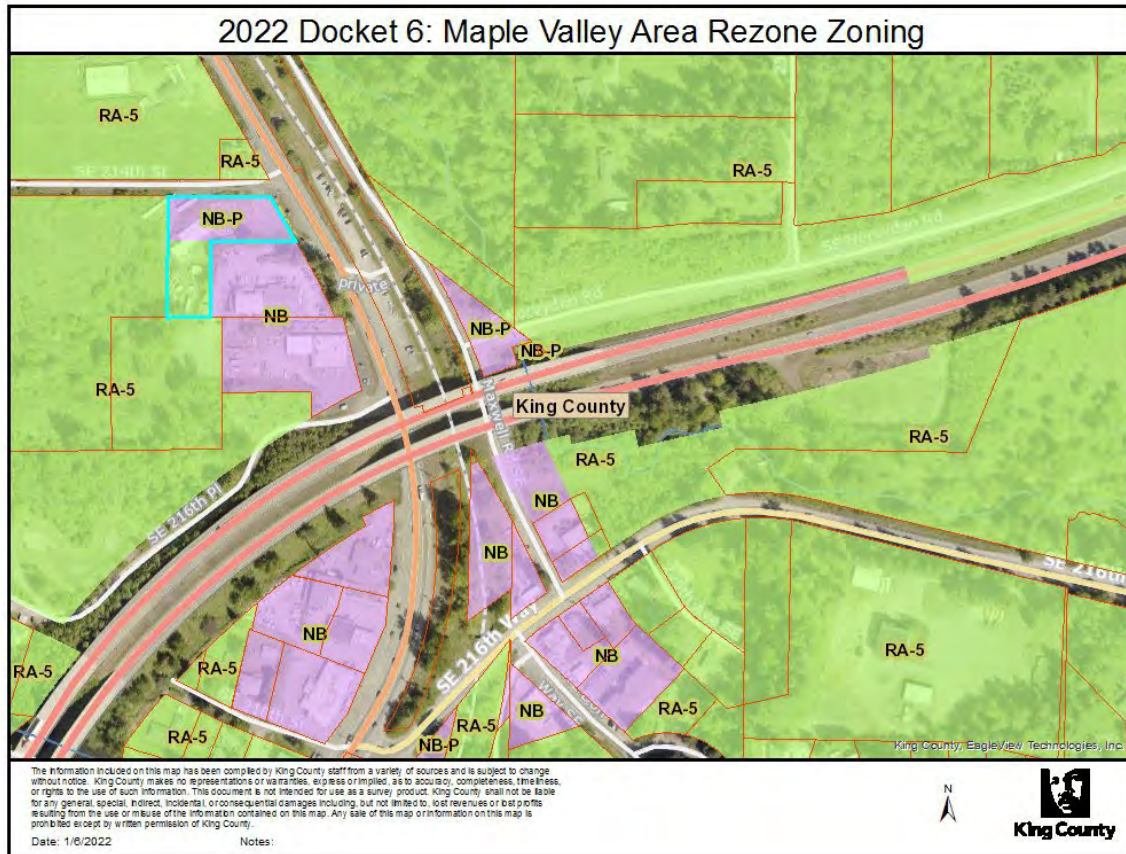
**Docket Request # 6: Maple Valley Area Split Parcel Rezone**

Aerial:



**Docket Request # 6: Maple Valley Area Split Parcel Rezone**

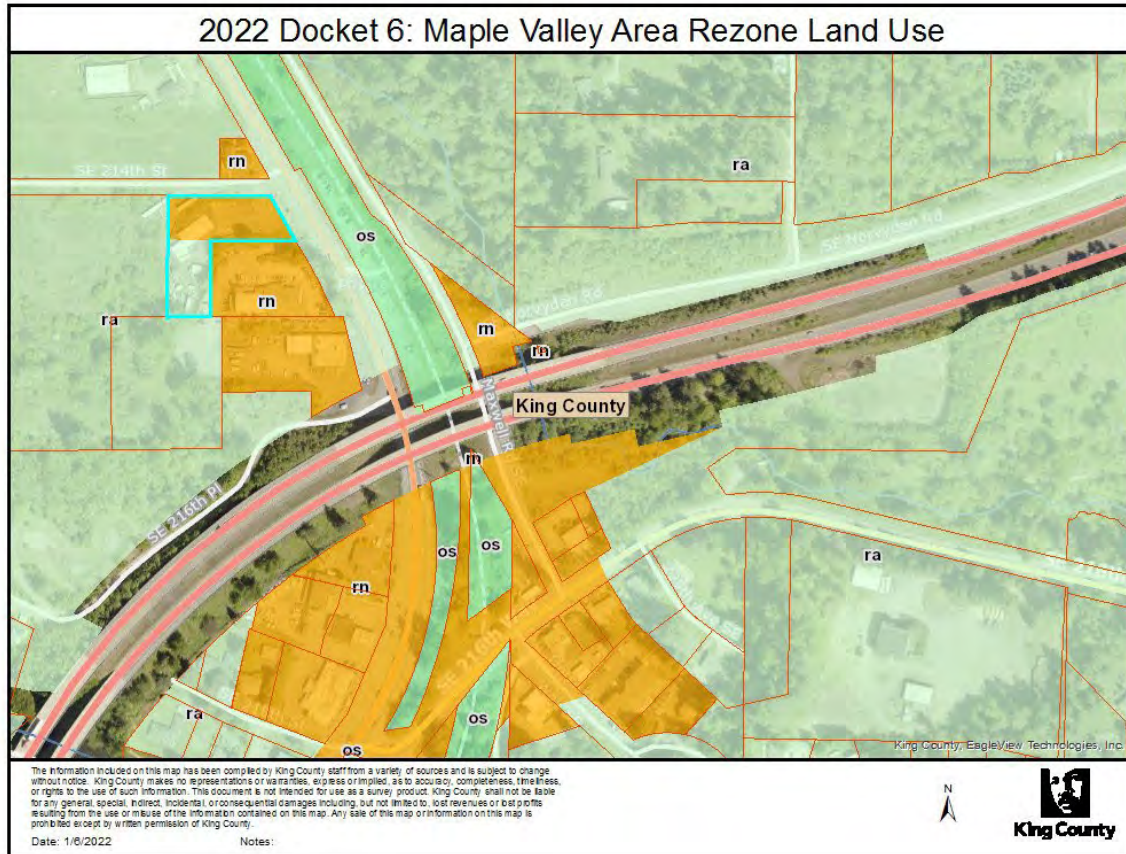
Zoning:





**Docket Request # 6: Maple Valley Area Split Parcel Rezone**

Land Use:



**Property Specific Development Conditions and Special District Overlays:**

**A development condition applies to only this property TR-P22: 284-79R.**

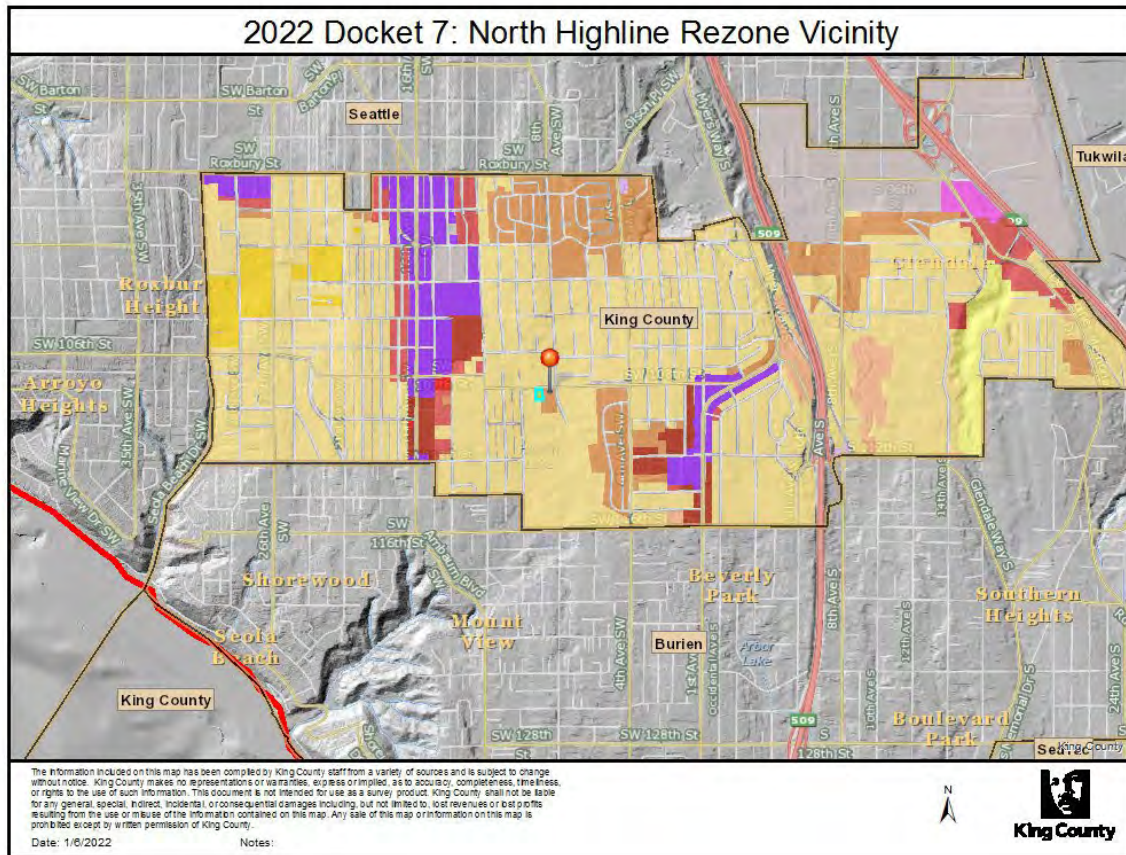
- Date: Established on August 18, 1997 by Ordinance 12824.
- Summary: The building to be 2,500 square feet or less in floor area.
- Link: <https://kingcounty.gov/depts/local-services/permits/property-research-maps/property-specific-development-conditions/Psuffix/TahomaRavenHeights/TR-P22.aspx>
- Link to Map: <https://kingcounty.gov/~media/depts/permitting-environmental-review/dper/documents/Psuffix-SDO-and-DPA-maps/scans/tr-p22.ashx?la=en>



<b>Docket Request # 7: North Highline Residential Rezone</b>	
<b>Name of Requestor(s):</b> Richard Miller <b>Council District:</b> #8 <b>Summary Category:</b> Land Use and Zoning Map Change	
<b>Submitted Request</b> Request to change zoning on one unincorporated urban parcel in the North Highline Potential Annexation Area from Urban Residential 8 to Urban Residential 24. Request includes a land use designation change from Urban Residential Medium to Urban Residential High.	
<b>Address/Parcel Identification Number</b> 0623049298	
<b>Submitted Background Information</b> A. Docket Form Answers	
Requested Change or Rationale	Urban residential high.  Comprehensive Plan Policies U-114, U-118, U-121, U-141,U-142
Proposed Use of Parcel	Apartment or townhouse
How will parcel affect adjoining parcels	Will not affect
How is change compatible with the surrounding area?	Site borders 4 story 76-unit complex
B. Additional Submitted Materials None.	

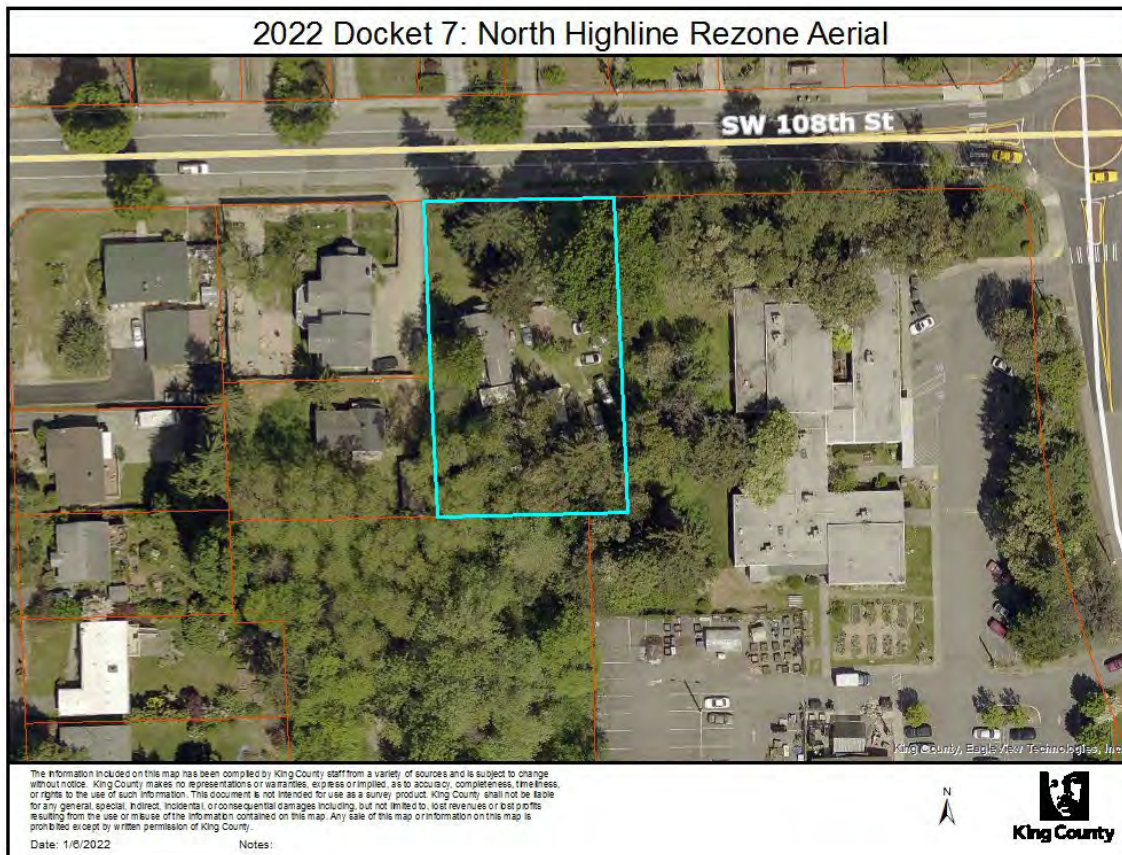
**Docket Request # 7: North Highline Residential Rezone**  
**County Maps of Docket Area (parcels highlighted in blue)**

Vicinity:



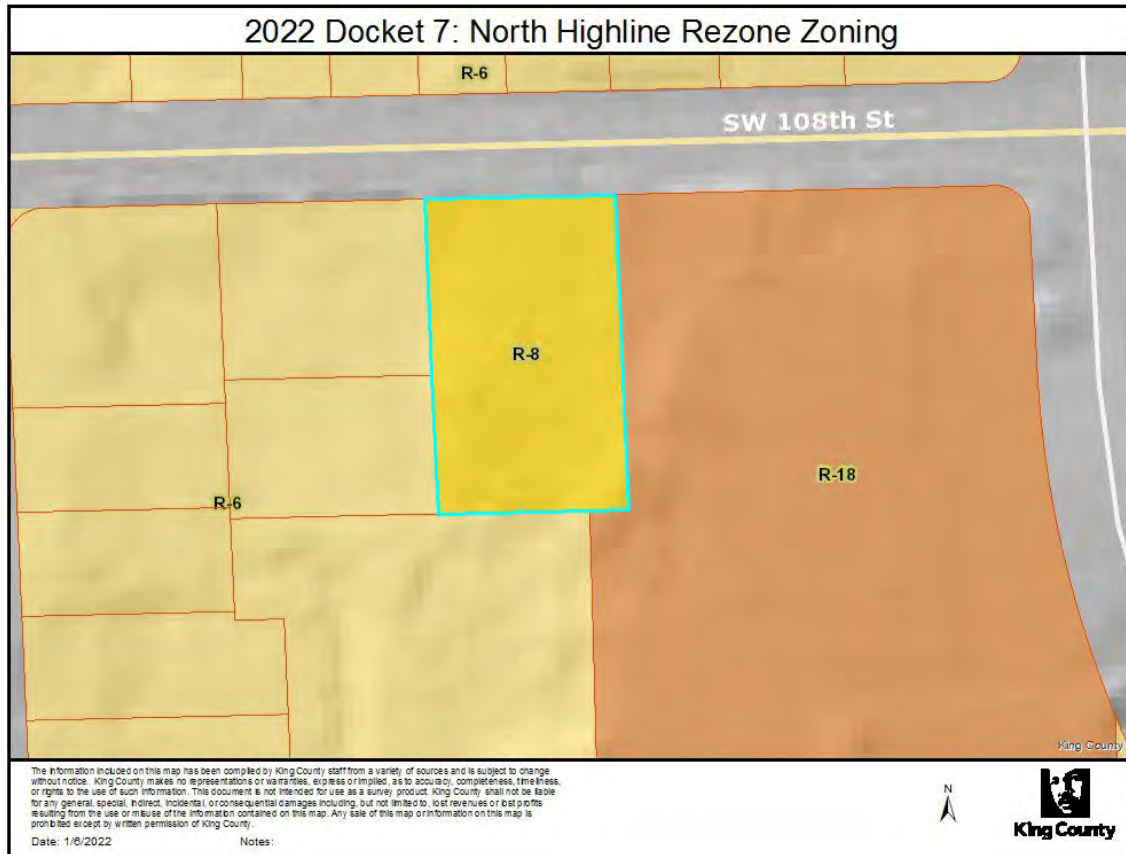
**Docket Request # 7: North Highline Residential Rezone**

Aerial:



**Docket Request # 7: North Highline Residential Rezone**

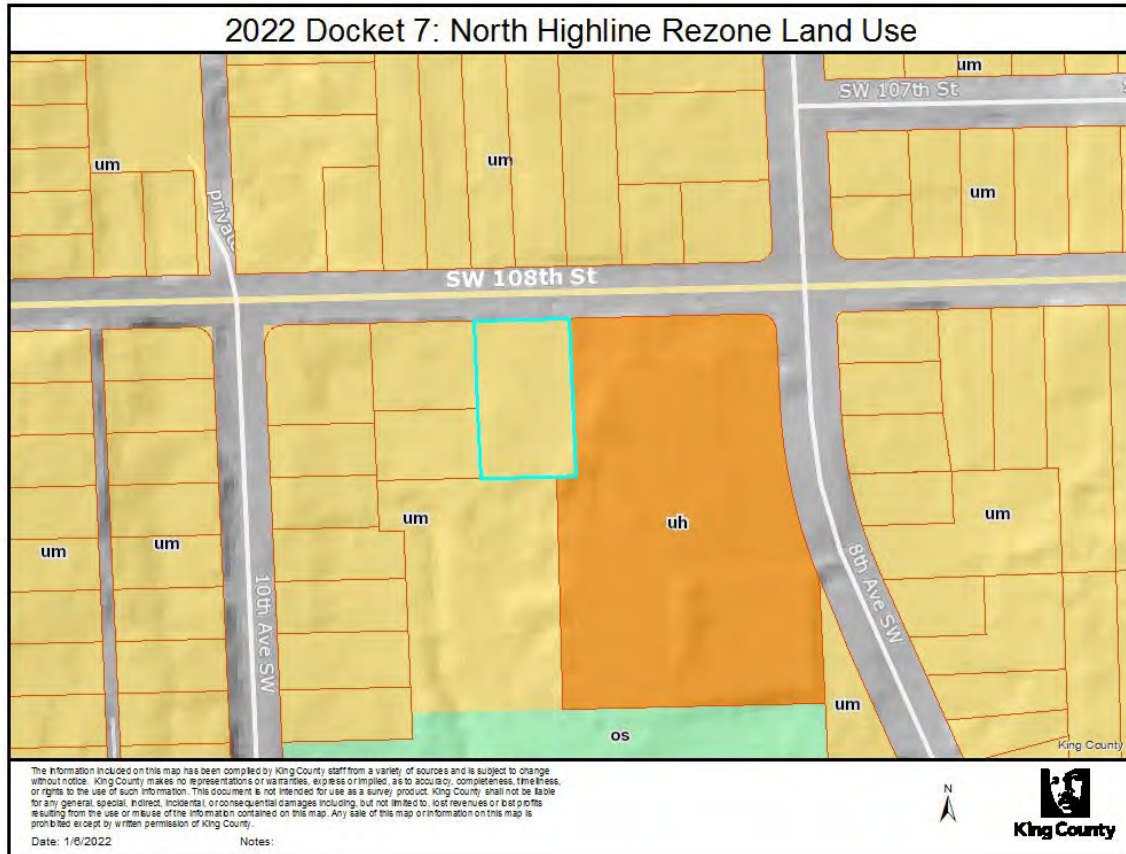
Zoning:





**Docket Request # 7: North Highline Residential Rezone**

Land Use:



Property Specific Development Conditions and Special District Overlays:  
n/a



<b>Docket Request # 8: Materials Processing in Rural Area</b>
<p><b>Name of Requestor(s):</b> Seven Unincorporated Area Councils: Greater Maple Valley Unincorporated Area Council (GMVUAC); Enumclaw Plateau Community Association (EPCA); Green Valley/Lake Holm Association (GV/LHA); Soos Creek Area Response (SCAR); Upper Bear Creek Unincorporated Area Council (UBCUAC); Hollywood Hills Association (HHA); Green River Coalition (GRC); and Friends of Sammamish Valley (FofSV)</p> <p><b>Council District:</b> Multiple</p> <p><b>Request:</b> See Additional Submitted Materials below.</p> <p><b>Summary Category:</b> Policy, Text, and Code Change</p> <p><b>Address/Parcel Identification Number:</b> n/a</p>
<p><b>Submitted Background Information</b></p> <p>A. Docket Form Answers n/a</p>

**Docket Request # 8: Materials Processing in Rural Area****B. Additional Submitted Materials****KCCP Docket Item Request**

Requesting Organizations: The Greater Maple Valley Unincorporated Area Council (GMVUAC); Enumclaw Plateau Community Association (EPCA); Green Valley/Lake Holm Association (GV/LHA); Soos Creek Area Response (SCAR); Upper Bear Creek Unincorporated Area Council (UBCUAC); Hollywood Hills Association (HHA); and Friends of Sammamish Valley (FofSV).

**Introduction**

King County Code Title 21A.06.742 Materials processing facility allows industrial-scale operations, such as "materials processing facilities," in the Rural Area:

***"21A.06.742 Materials processing facility. Materials processing facility:***

***A. A site or establishment, not accessory to a mineral extraction or sawmill use, that is primarily engaged in crushing, grinding, pulverizing or otherwise preparing earth materials, vegetation, organic waste, construction and demolition materials or source separated organic materials and that is not the final disposal site; and***

***B. A site or establishment lawfully established before October 10, 2004, as an interim recycling facility for processing source separated, organic materials."***

This Code section, which allows industrial-scale operations, such as "materials processing facilities," in the Rural Area, is flawed. It is inconsistent with basic Rural Area policies elsewhere in the *King County Comprehensive Plan (KCCP)*. It is one of many unintended and irreversible consequences such a broad brush approach to Mining (M) and Industrial (I) zoning has on Rural Area. Clearly, there is a need for "M" and "I" land-uses to be addressed in a more strategic way, e.g., by congregating such uses in areas where road capacity is adequate and water quality, citizen safety, noise, and air quality are all properly mitigated. Industrial-scale facilities simply do not belong in the Rural Area.

To be consistent with PSRC's *VISION 2050*, the *Countywide Planning Policies (CPPs)*, and the *KCCP* there should be no industrial-scale operations, including industrial-scale farming or industrial-scale livestock operations, located or allowed in the Rural Area (see Background below).

It is the law that King County Code must be consistent with and implement *KCCP* policies, not vice versa—it is not the Code that drives *KCCP* Policies, rather *KCCP* Policies drive the Code to be consistent with and conform to same. It is neither illegal, nor contrary to the State's Growth Management Act, for *KCCP* Policies to direct certain land uses to particular areas of the County, so as to be *compatible* with surrounding land uses, especially in the Rural Area (our emphases):

***RCW 36.70A.011: "The legislature finds that this chapter is intended to recognize the importance of rural lands and rural character to Washington's economy, its people, and its environment, while respecting regional differences. Rural lands and rural-based economies enhance the economic desirability of the state, help to preserve traditional economic activities, and contribute to the state's overall quality of life. . . . [T]he legislature finds that in defining its rural element under RCW 36.70A.070(5), a county should foster land use patterns and develop a local vision of rural character that will: Help preserve rural-based economies and traditional rural lifestyles; encourage the economic prosperity of rural residents; foster opportunities for small-scale, rural-based employment and self-employment; permit the operation of rural-based agricultural, commercial, recreational, and tourist businesses that are consistent with existing and planned land use patterns; be compatible with the use of the land by wildlife and for fish and wildlife habitat; foster the private stewardship of the land and preservation of open space; and enhance the rural sense of community and quality of life."***

On September 4, 2019, the Executive issued *Executive Order: LUD-12-2-EO: Clean Water Health Habitat*. The EO stated (in part), that (our emphases):

## Docket Request # 8: Materials Processing in Rural Area

*"King County has implemented protective land use policies and active habitat restoration programs, yet continued habitat loss, stormwater pollution, and toxics have resulted in critically endangered orca and declining salmon runs, threatening our shared natural heritage and Tribes' ability to exercise treaty rights;...*

*King County's forests, rivers, lakes, wetlands, shorelines, estuaries, and marine waters are connected systems that require an integrated and coordinated approach;...*

*...develop King County-wide 30-year water quality and habitat goals based on the best environmental outcomes believed possible as part of the Clean Water, Healthy Habitat Strategic Plan."*

Clearly, King County Code Title 21A.06.742 Materials processing facility is not consistent with Executive Order: LUD-12-2-EO.

To be clear, we have no problem with the processing of organic materials for reuse, which is beneficial for all. However, what we do have problems with are *industrial-scale operations* being located in the Rural Area.

### Request

The KC Code should be amended as follows to meet the KCCP Policies regarding the Rural Area:

**"21A.06.742 Organic Mmaterials processing facility. Materials processing facility:**

A. A site or establishment, not industrial in scale nor accessory to a mineral extraction or sawmill use, that is primarily engaged in crushing, grinding, pulverizing or otherwise preparing earth materials, vegetation, organic waste, construction and demolition materials or source separated organic materials and that is not the final disposal site; and

B. A site or establishment lawfully established before October 10, 2004, as an interim recycling facility for processing source separated, organic materials."

Above, we call for such "facilities" to process only "organic materials" and call for the elimination of "facilities" that are "industrial in scale" and that process "earth materials" (e.g., mining materials) or "construction and demolition materials."

### Background

VISION 2050 (adopted October 2020)

Maintaining Rural Area character and siting of industrial-scale operations are discussed in:

**MPP-DP-32:** "Contribute to improved ecological functions and more appropriate use of rural lands by minimizing impacts through innovative and environmentally sensitive land use management and development practices."

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

**MPP-DP-41:** "Establish best management practices that protect the long-term integrity of the natural environment, adjacent land uses, and the long-term productivity of resource lands."

CPPs (2012 as amended in 2016; currently undergoing a major update in 2021)



## Docket Request # 8: Materials Processing in Rural Area

Maintaining Rural Area character and siting of industrial-scale operations are discussed in:

**EN-1:** *"Incorporate environmental protection and restoration efforts into local comprehensive plans to ensure that the quality of the natural environment and its contributions to human health and vitality are sustained now and for future generations."*

**DP-45:** *"Limit growth in the Rural Area to prevent sprawl and the overburdening of rural services, reduce the need for new rural infrastructure, maintain rural character, and protect the natural environment."*

**KCCP** (adopted July 2020)

Maintaining Rural Area character and siting of industrial-scale operations are discussed in:

Chapter 3. **RURAL AREAS AND NATURAL RESOURCE LANDS**, Part I. Rural Area (our **emphases**):

*"Preserving rural King County plays a key role in ensuring a continuing variety of landscapes, maintaining the diverse communities that often portray the rural legacy, and supporting the evolving rural economic opportunities for the county and its residents.... Rural Areas and rural-based economies contribute to the range of choices and enhance the quality of life of all county residents.... King County is committed to sustaining rural economic clusters and rural character.... The glacial soils and terrain that give King County its natural beauty also create significant environmentally critical areas, such as steep, erodible slopes, wetlands and groundwater recharge areas. Maintenance of tree cover, natural vegetation and wetlands are critical to the continued functioning of the ecosystem and preservation of rural character. The interplay of forest cover, soils and water are essential to watershed health, ensuring adequate unpolluted groundwater recharge, stormwater runoff flow control and pollution reduction, carbon sequestration and habitat functions. Conserving Rural Areas and Natural Resource Lands in King County is integral to providing diversity in lifestyle choices; sustaining farming, livestock, and forestry economies; protecting environmental quality and wildlife habitat; providing recreation opportunities and maintaining a link to the county's resource-based heritage."*

Chapter 3. **RURAL AREAS AND NATURAL RESOURCE LANDS**, Part V. Rural Commercial Centers, Section D. Non-Resource Industrial Uses and Development Standards in the Rural Area:

**Policy 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."*

<b>Docket Request # 9: Periodic Review and Reclamation Process</b>
<p><b>Name of Requestor(s):</b> Seven Unincorporated Area Councils:            Greater Maple Valley Unincorporated Area Council (GMVUAC); Enumclaw Plateau Community Association (EPCA); Green Valley/Lake Holm Association (GV/LHA); Soos Creek Area Response (SCAR); Upper Bear Creek Unincorporated Area Council (UBCUAC); Hollywood Hills Association (HHA); Green River Coalition (GRC); and Friends of Sammamish Valley (FofSV)</p> <p><b>Council District:</b> Multiple</p> <p><b>Request:</b> See Additional Submitted Materials below.</p> <p><b>Summary Category:</b> Policy, Text, and Code Change</p> <p><b>Address/Parcel Identification Number:</b> n/a</p>
<p><b>Submitted Background Information</b></p> <p>A. Docket Form Answers            n/a</p>
<p>B. Additional Submitted Materials</p>





King County

### KCCP Docket Item Request

Requesting Organizations: The Greater Maple Valley Unincorporated Area Council (GMVUAC); Enumclaw Plateau Community Association (EPCA); Green Valley/Lake Holm Association (GV/LHA); Soos Creek Area Response (SCAR); Upper Bear Creek Unincorporated Area Council (UBCUAC); Hollywood Hills Association (HHA); Green River Coalition (GRC); and Friends of Sammamish Valley (FofSV).

### Introduction

King County Code (KCC) Title 21A22.050 [DEVELOPMENT STANDARDS - MINERAL EXTRACTION] Periodic review. states:

*“A. In addition to the review conducted as part of the annual renewal of a mineral extraction or processing operating permit, coal mine permit or materials processing facility permit, the department shall conduct a periodic review of mineral extraction or processing, coal mine, materials processing facility or fossil fuel facility site design and operating standards at five-year intervals from the date of issuance of the permit.*

*B. The periodic review is a Type 2 land use decision.*

*C. The periodic review shall:*

- 1. Determine whether the site is operating consistent with all existing permit conditions and, if not, establish corrective actions; and*
- 2. Apply the most current site design and operating standards to the site through additional or revised permit conditions as necessary to mitigate identifiable environmental, public health and public safety impacts.*

*(Ord. 19146 § 59, 2020; Ord. 15032 § 28, 2004; Ord. 11157 § 21, 1993; Ord. 10870 § 443, 1993).”*

This Code section describes *Periodic Reviews* of mineral extraction (i.e., mining) and/or materials processing sites to be conducted at 5-yr intervals. Unfortunately, for the sake of our shared environment and for residents' quality of life, King County (KC) Department of Local Services-Permitting Division (DLS-P) interprets **21A22.050** as not to include the reclamation phases on such sites, even though no permits are issued for such operations without the permittee committing to specific reclamation actions.

The implementing King County Comprehensive Plan (KCCP) Policy is R-688 (2020 Mid-Point Update, p. 3-74):

*“The periodic review process for mineral extraction and processing operations shall include sufficient public notice and comment opportunities. The purpose of the periodic review process is to provide opportunities for public review and comment on the mineral resource facility's fulfillment of state and County regulations and implementation of industry-standard best management practices, and for King County to modify, add or remove conditions to address new circumstances and/or*

## Docket Request # 9: Periodic Review and Reclamation Process



King County

*unanticipated project-generated impacts. The periodic review process is not intended to re-examine the appropriateness of the mineral resource use, or to consider expansion of operations beyond the scope of existing permitted operations since that review would be accomplished through the County's permitting process. The periodic review is intended to be a part of King County's ongoing enforcement and inspections of mineral resource sites, and not to be a part of the County's permitting process."*

This KCCP Policy specifically states that the *"periodic review is intended to be a part of King County's ongoing enforcement and inspections of mineral resource sites,..."* However, again, KC DLS-P interprets the *Periodic Review* as not being applicable to the reclamation phases on such sites.

This is a loophole that deprives the general Public of Code-required periodic reviews.

### Request

To ensure there is no misinterpretation of *Periodic Reviews*, we propose the following changes (*using standard editing: additions—underlined and deletions—~~strikethrough~~*) to both KC Code and KCCP Policy:

#### **KCC Title 21A22.050 [DEVELOPMENT STANDARDS - MINERAL EXTRACTION] Periodic review.:**

*"A. In addition to the review conducted as part of the annual renewal of a mineral extraction or processing operating permit, coal mine permit or materials processing facility permit, the department shall conduct a periodic review of mineral extraction or processing, coal mine, materials processing facility or fossil fuel facility site design and operating standards at five-year intervals from the date of issuance of the permit.*

*B. The periodic review is a Type 2 land use decision.*

*C. The periodic review shall:*

- 1. Determine whether the site is operating consistent with all existing permit conditions and, if not, establish corrective actions; and*
- 2. Apply the most current site design and operating standards to the site through additional or revised permit conditions as necessary to mitigate identifiable environmental, public health and public safety impacts.*

*3. Address all reclamation activities prior to final closure of the operation.*

*(Ord. 19146 § 59, 2020: Ord. 15032 § 28, 2004: Ord. 11157 § 21, 1993: Ord. 10870 § 443, 1993)."*

#### **KCCP Policy R-688:**



## Docket Request # 9: Periodic Review and Reclamation Process



King County

*“The periodic review process for mineral extraction, and processing, and reclamation operations shall include sufficient public notice and comment opportunities. The purpose of the periodic review process is to provide opportunities for public review and comment on the mineral resource facility’s fulfillment of state and County regulations and implementation of industry-standard best management practices, and for King County to modify, add or remove conditions to address new circumstances and/or unanticipated project-generated impacts. The periodic review process is not intended to re-examine the appropriateness of the mineral resource use, or to consider expansion of operations beyond the scope of existing permitted operations since that review would be accomplished through the County’s permitting process. The periodic review is intended to be a part of King County’s ongoing enforcement and inspections of mineral resource sites, and not to be a part of the County’s permitting process.”*

### Supporting Rationale

#### Washington State RCWs

##### **78.44.081: “Reclamation permits required—Applications.**

*After July 1, 1993, no miner or permit holder may engage in surface mining without having first obtained a reclamation permit from the department. Operating permits issued by the department between January 1, 1971, and June 30, 1993, shall be considered reclamation permits. A separate permit shall be required for each noncontiguous surface mine. The reclamation permit shall consist of the permit forms and any exhibits attached thereto. The permit holder shall comply with the provisions of the reclamation permit unless waived and explained in writing by the department.”*

**RCW 78.44.081** clearly states that a reclamation permit be obtained **prior** to the commencement of any mining operation, thus establishing that reclamation is part and parcel of the mining operation and thus, by inference, indicating that any subsequent Code or Policy that calls for *Periodic Reviews* of mining operations **include** reclamation activities. Consequently, *Periodic Reviews* apply to reclamation activities.

#### **VISION 2050** (adopted October 2020)

Protecting the general public and maintaining Rural Area character in relation to industrial-scale operations such as mining are discussed in:

**MPP-DP-32:** *“Contribute to improved ecological functions and more appropriate use of rural lands by minimizing impacts through innovative and environmentally sensitive land use management and development practices.”*



King County

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

**MPP-DP-41:** *“Establish best management practices that protect the long-term integrity of the natural environment, adjacent land uses, and the long-term productivity of resource lands.”*

Each of these **MPPs** apply to ensuring mining site reclamation is conducted and completed in a manner as to protect the environment and the general Public. To do so, the Public must be kept informed and the *Periodic Review* process used to do so.

**Countywide Planning Policies (CPPs)** (2012 as amended in 2016; currently undergoing a major update in 2021)

Maintaining Rural Area character and siting of industrial-scale operations are discussed in:

**EN-1:** *“Incorporate environmental protection and restoration efforts into local comprehensive plans to ensure that the quality of the natural environment and its contributions to human health and vitality are sustained now and for future generations.”*

This **CPP** calls for the **KCCP** and its policies to include “...*environmental protection and restoration efforts*...” To do this **KCCP** policies calling for *Periodic Reviews* must include mining site reclamation activities.

**KCCP** (adopted July 2020)

Maintaining Rural Area character with respect to industrial-scale mining operations are discussed in:

Chapter 3. **RURAL AREAS AND NATURAL RESOURCE LANDS**, Part I. **Rural Area** (our emphases):

*“Preserving rural King County plays a key role in ensuring a continuing variety of landscapes, maintaining the diverse communities that often portray the rural legacy, and supporting the evolving rural economic opportunities for the county and its residents.... Rural Areas and rural- based economies contribute to the range of choices and enhance the quality of life of all county residents.... King County is committed to sustaining rural economic clusters and rural character....The glacial soils and terrain that give King County its natural beauty also create significant environmentally critical areas, such as steep, erodible slopes, wetlands and groundwater recharge areas. Maintenance of tree cover,*



## Docket Request # 9: Periodic Review and Reclamation Process



King County

*natural vegetation and wetlands are critical to the continued functioning of the ecosystem and preservation of rural character. The interplay of forest cover, soils and water are essential to watershed health, ensuring adequate unpolluted groundwater recharge, stormwater runoff flow control and pollution reduction, carbon sequestration and habitat functions. Conserving Rural Areas and Natural Resource Lands in King County is integral to providing diversity in lifestyle choices; sustaining farming, livestock, and forestry economies; protecting environmental quality and wildlife habitat; providing recreation opportunities and maintaining a link to the county's resource-based heritage."*

This KCCP section specifically calls for: "*Conserving Rural Areas and Natural Resource Lands....*" This cannot be done without proper and adequately monitored reclamation of mining sites. Public disclosure and participation are integral to such oversight

### Closing Remarks

#### Environmental Impacts

It is relevant and factual to point out that multiple mining facilities in King County (particularly in SE King County) have a record of substantial environmental, permit and code violations during the "reclamation" phase, which can take as long or as in a number of cases in SE King County, take far longer than the mining activity. Further, there is a record of such sites causing harm to public resources, including, but not limited to, waters of the state. Site examples include: Reserve Silica, Erickson/Wagner site, John Henry Mine, and Landsberg (Rogers Seam).

#### State Department of Ecology

Also worthy of note, when the State Department of Ecology (DOE) was updating the National Pollution Discharge Elimination System (NPDES) permit for stormwater and mine-water discharges from the John Henry Mine, it wrote requirements both for a return to active mining (which was still a potential at the time), or reclamation as it was DOE's opinion that reclamation activities at the John Henry Mine posed a *substantial* threat of pollution to waters of the state.

#### Reclamation

Clearly, the aforementioned examples demonstrate that reclamation activity can and frequently has lasted for decades. Claimed reclamation is often historically and presently paired with disposal. Reclamation is often abused through disposal of off-specification or hazardous materials. The current interpretation by DLS-P serves to keep such reclamation/disposal activity opaque and out of the public view, which in turn only serves to increase the opportunities for additional harm to rural residents and public resources, in particular through pollution of surface and groundwater that can last for many decades beyond the completion reclamation activity (as seen with high pH and arsenic discharges from the Reserve Silica site that continue today).

**Docket Request # 9: Periodic Review and Reclamation Process****King County****Enforcement**

Reclamation requires significant permitting and enforcement review, just like mining itself, and is clearly an activity associated with mining and part of the integrated planning, design, and permitting of mines in King County. Consequently, it is illogical and a source of significant harm to require *Periodic Review* and opportunity for public comment during mining, but not during reclamation that includes many if not most of the same impacts and violations of code as active mining, with the addition of potential illegal disposal activities. There is no valid argument to conclude that the necessity of the *Periodic Review*, and opportunity for public comment should apply for active mining, but not apply, or isn't necessary for reclamation.

**Conclusions**

The changes in King County Code and KCCP Policy enumerated in this Docket Request will resolve the problems detailed herein for the good of all.

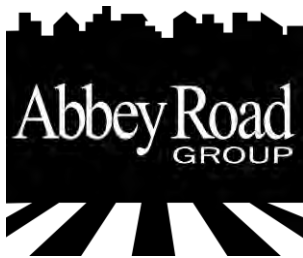
### **III. FOR MORE INFORMATION**

The purpose of the Docket Submittals Report is to provide notification regarding the proposals that have submitted. The report is posted shortly after the Docket deadline of December 31 and is therefore released prior to conducting analysis on the request(s). The next steps in the process are described in the aforementioned Docket Reports.

Contact: Ivan Miller, [ivan.miller@kingcounty.gov](mailto:ivan.miller@kingcounty.gov), 206-263-8297.

**Attachment A: Additional Submitted Materials – Docket 6: Foley Split Parcels**





**Service Disabled Veteran Owned Small Business**

20 December 2021

King County  
Office of Performance, Strategy, & Budget  
Regional Planning Section  
Chinook Office Building  
401 Fifth Ave, Suite 810  
Seattle, WA 98104

RE: 21-112 | 21409 Renton Maple Valley, King County Comprehensive Plan Docket Process Form submittal for Parcel 2752200005 located at 21409 Renton-Maple Valley Rd SE, Maple Valley and within the jurisdiction of King County.

To Whom It May Concern:

On behalf of our client Sean Foley, Abbey Road Group Land Development Services is submitting King County Comprehensive Plan Docket Process Form for the property located at 21409 Renton-Maple Valley Rd SE, Maple Valley WA 98038, Parcel 2752200005.

This property is unique in that it is split zoned as RA-5/NB-P. Per the King County Municipal Code, the RA-5 zone is for rural residential allowed uses and NB Neighborhood Business. The existing use and structures on the property currently fall in the NB zone which is the use of the property.

This Docket Process Form is in support of a Rezone of the property from the current split zone of RA-5/NB-P to NB (Neighborhood Business) only. The rezone of the property to NB-P which allows for the existing allowed use of the property for a Food Produce stand and matches adjacent properties and the King County Comprehensive Plan for Neighborhood Businesses. A NB zoned parcel ensure visual compatibility, establish a logical outer boundary, and preserve the character of the existing community consistent with the Grown Management Act.

Through this Docket Process for a Rezone and Land Use Designation amendment the property will be brought into compliance with the King County Municipal Code and would aid our client, the property owner, from having to pursue a lengthy and costly rezone classification process.

Project Site Information:

Current Lot:

- Zoning: RA-5/NB-P (Rural Area, one DU per 5 acres; Neighborhood Business)
- Site Area: 43,995 sf (NB-P zone: ~27,518.7 sf; RA-5: ~16,476.3 SF)

Access:

- SE 214<sup>th</sup> St
- Renton Maple Valley Rd SE

Proposed Zone:

- NB – Neighborhood Business

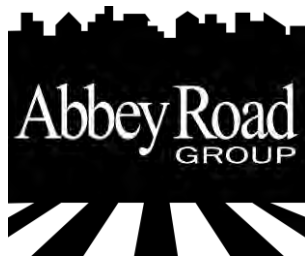
Enclosure(s):

**Abbey Road Group Land Development Services Company, LLC**

PO Box 1224, Puyallup, WA 98371

Phone: 253-435-3699 Fax: 253-446-3159

[www.abbeyroadgroup.com](http://www.abbeyroadgroup.com)



**Service Disabled Veteran Owned Small Business**

- Cover Letter
- Docket Process Form
- Vicinity Map
- Zoning Map
- Boundary and Topographic Survey
- Site Observation Report

If you have questions or would like to request additional information, please do not hesitate to contact me by phone at (253) 435-3699 or via e-mail at [Gil.Hulsmann@AbbeyRoadGroup.com](mailto:Gil.Hulsmann@AbbeyRoadGroup.com).

Sincerely,

**Gil Hulsmann**

**CEO - Director of Land Development Services**

**Abbey Road Group Land Development Services Company, LLC**

253-435-3699 Phone (ext 101) | 253-446-3159 Fax

253-405-1246 Cell

[Gil.Hulsmann@AbbeyRoadGroup.com](mailto:Gil.Hulsmann@AbbeyRoadGroup.com)

[www.AbbeyRoadGroup.Com](http://www.AbbeyRoadGroup.Com)

GFH/rj

Job # 21-112

T:\PROJECTS FILES (ACTIVE)\21-112, 21409 Renton Maple Valley RD\PERMITTING\Docket Process

Enclosure(s):

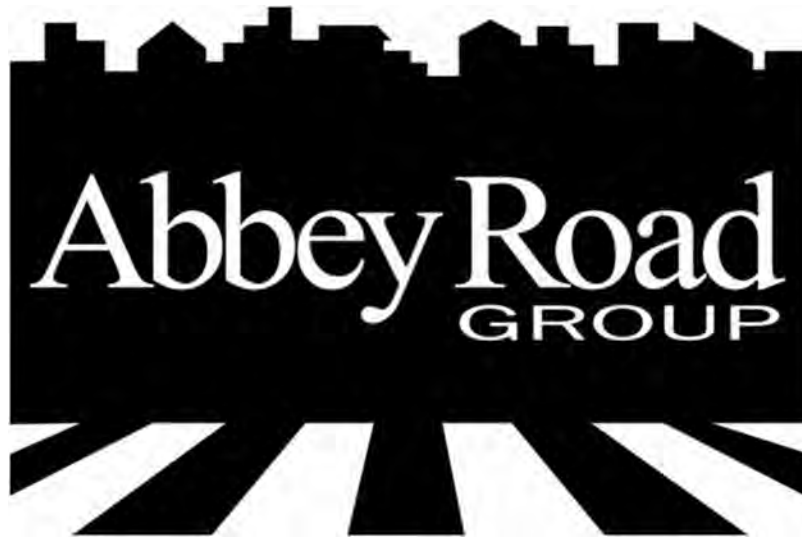
- Cover Letter
- Docket Process Form
- Vicinity Map
- Zoning Map
- Boundary and Topographic Survey
- Site Observation Report
- Feasibility Report

**Abbey Road Group Land Development Services Company, LLC**

PO Box 1224, Puyallup, WA 98371

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**SITE OBSERVATION NARRATIVE**  
**FOLEY RENTON-MAPLE VALLEY**  
**PROJECT**

21409 Renton- Maple Valley Rd SE  
Renton, Washington (King County)

Job #21-112

March 2021

Prepared for:  
Sean Foley  
PO Box 1290  
Maple Valley, Washington 98038

2102 East Main Ave, Suite 109, Puyallup, WA 98372  
P.O. Box 1224, Puyallup, WA 98371  
(253) 435-3699 / Fax (253) 446-3159



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### 2. Site Observation Narrative

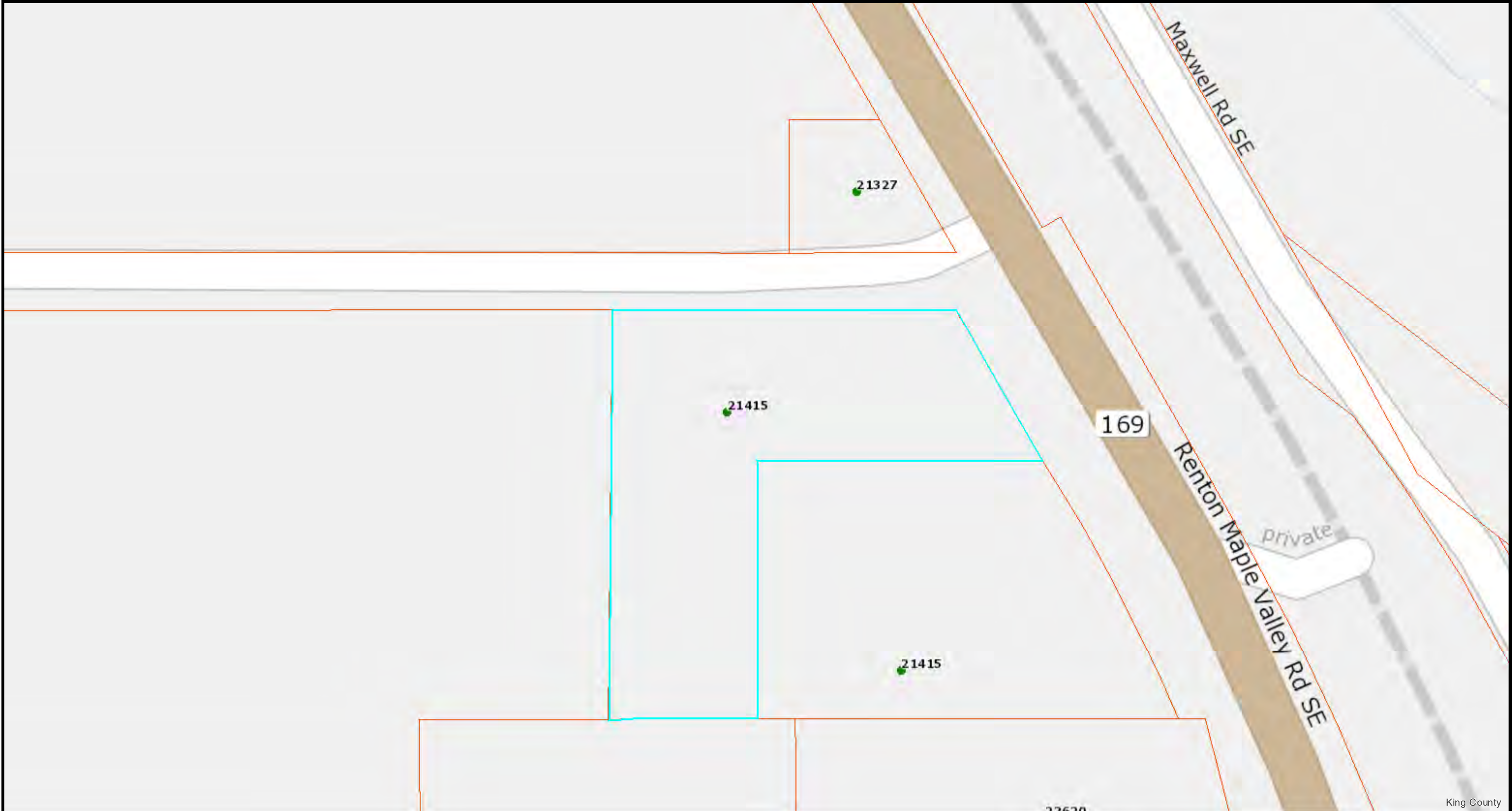
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### 3. Appendix A – King County Violation Document

### 4. Appendix B - Site Observation Narrative Photographs



# King County Parcel Map



King County

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: 3/18/2021

Notes:





# King County Aerial Map



King County, EagleView Technologies, Inc.

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Date: 3/18/2021

Notes:



King County



# King County Topo Map



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, King County

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King County



# King County Zoning Map



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Notes:





# King County Critical Areas Map



King County, EagleView Technologies, Inc.

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Date: 3/18/2021

Notes:



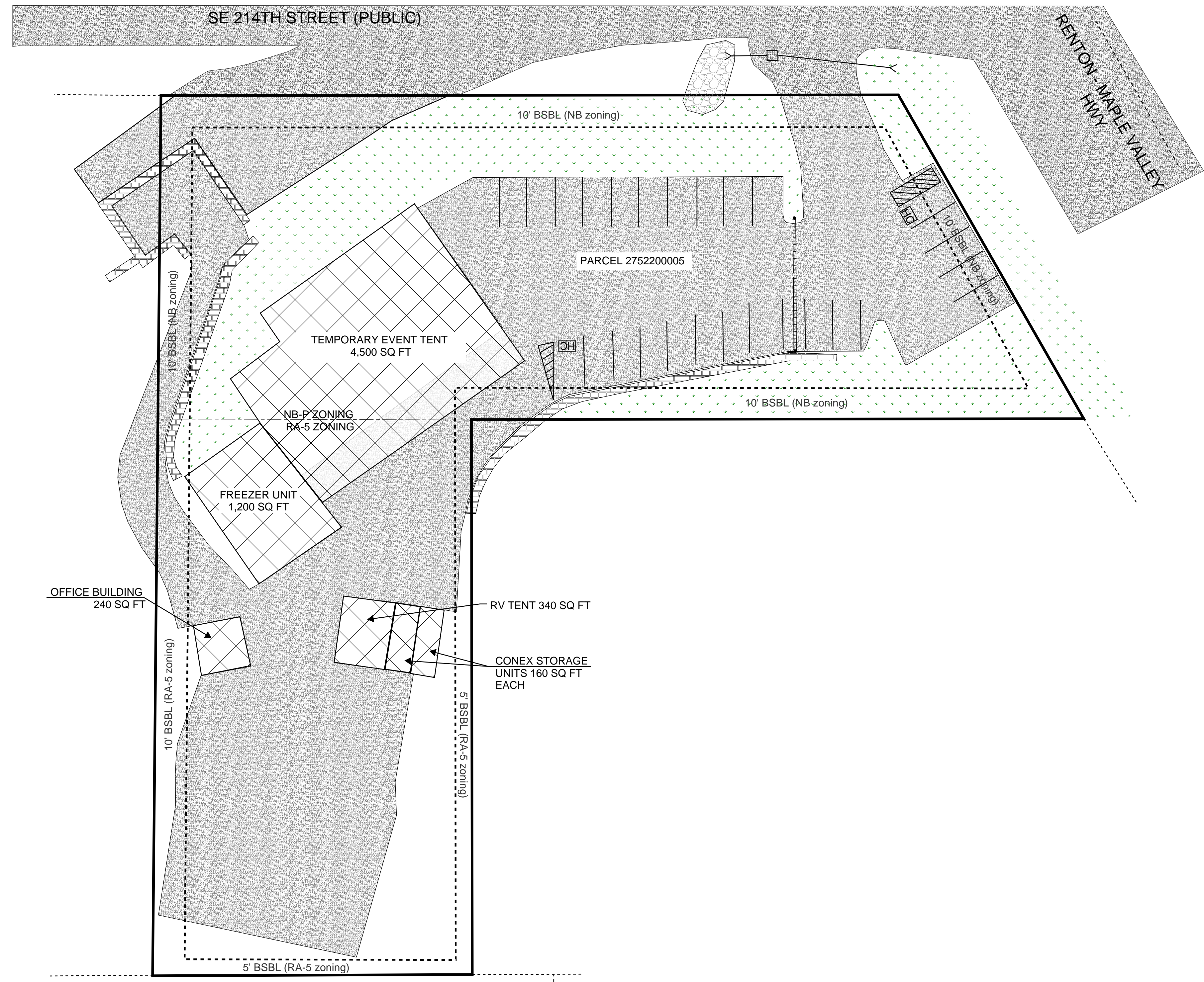
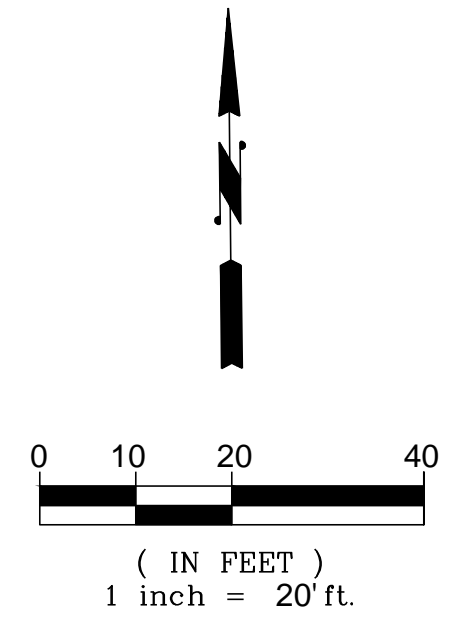


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 These drawings, plans, specifications and other documents cannot be copied, distributed, submitted to others (including governmental agencies and lenders) without the express written consent of Abbey Road Group Land Development Services Company, LLC.

# FOLEY RENTON MAPLE VALLEY HWY PROJECT

SECTION 9, TOWNSHIP 22N, RANGE 6E., W.M. KING COUNTY, WASHINGTON

## EXISTING SITE CONDITIONS



PARCEL 2752200009

TITLE:

FOR:

<b>Abbey Road Group</b> Land Development Services Company, LLC 2102 EAST MAIN AVE, SUITE 109 PUYALLUP, WA 98372 P.O. Box 1224, Puyallup, WA 98371 (253) 435-3699, Fax (253) 446-3159	
REVISIONS: BY: _____ CHK: _____ APR: _____ DATE: _____ PER: _____	JOB #: DESIGNED BY: DEVELOPMENT REVIEW: APPROVED BY: GIL HULSMANN DRAFTED BY: DATE: SHEET:

CALL 1-800-424-5555  
 BEFORE YOU DIG



*Service Disabled Veteran Owned Small Business*

## Site Observation Narrative

### **Proposed Parcel Research Location**

This property assessment consists of 1 parcel: 2752200005. The physical address of this site is as followed: 21409 Renton-Maple Valley Rd SE Renton, Washington 98038.

### **Parcel Legal Description:**

GIBBON W D FARM UNREC N 275 FT OF E 260.70 FT MEAS ALG N LN AT R/A THTO LESS BEG 620 FT E & 100 FT S OF NW COR TH S 175 FT TH E TO W LN OF HWY TH NWLY TO A PT 200 FT M/L E FR BEG TH W 200 FT M/L TO BEG LESS CO RD Plat Block: Plat Lot #1 .

### **Narrative Purpose:**

The information in this narrative is intended to provide substantial and accurate information of the above parcel in question to aid in the resolution for King County Code Violation Code Enforcement Case #ENFR20-0079. This narrative will be limited to only onsite observations of the existing site conditions as well as some use of historical aerial photographs taken of the parcel provided by King County GIS Portal.

This report will reference King County Code Violation Code Enforcement Case #ENFR20-0079 documents and these items will be included in Appendix A of this report.

### **King County Code Violation Code Enforcement Case #ENFR20-0079**

This case was investigated by King County Code Enforcement Office Holly Swain and was reported to Mr. Sean Foley on the date of February 26<sup>th</sup>, 2020. The reported violations are listed below:

1. Operation of a fruit and vegetable market from a parcel divided into two different zones (NB-P allows businesses, RA-5 does not allow business) in violation of Section 21A.08.070 ( Section 21A.08.070 is a Retail Land Used Table )
2. Construction and Site Development:
  - a. A cooler (900 Sq ft with 360 sq ft attached roof structure)
  - b. Two-story wood building (approximately 250 sq ft Office Bldg.)
  - c. Setup of a Tent Structure (frame left up year round, canvas put on structure for several months of the year) without required fire permit.
  - d. Over 2,000 sq ft of new impervious for parking and other purposes, cumulative clearing over 7,000 sq ft. Structures within setbacks and use of the RA-5 portion of the parcel, which is not zoned for this business, in violation of sections 16.02.240, 16.82.051, 21A.12.030, 21A.12.040, 21A.28.020 of the parcel zoned NB-P All setbacks would need to be met.





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**Site Observation Remarks**

Upon reviewing this project and the King County alleged violations a Site Observation was conducted to verify or refute the allegations presented to Mr. Sean Foley. The below is a brief narrative of items observed onsite.

**Structures:**

Permanent Building Structures :

Two Story Wooden Office Building /Shack (Total 240 SQ FT ). The office building is actually a 12’x 16’ (192 SQFT) building with a 4’ wide porch on the front side, and the Freezer Unit (1,200 SQ FT). Both structures have been provided power. The Freezer unit appears to have a roof drain systems and French drain associated with it.

2 Conex Storage Containers (160 SQ FT Each). These two items are technically a mobile items as they are shipping containers.

Temporary Structures:

The temporary event tent which is also the seasonal sales area for the Retail Nursery, Garden Center and Farm Supply Stores. Is approximately 4,500 Sq ft total, this area is split between NB-P zoning and RA-5 Zoning. The portion of the Covered area in RA-5 Zoning is 745 SQ FT. with the remainder 3,755 SQ FT being on the NB-P Zoning portion of the parcel. The King County Violation References King County Code Section 21A.08.070. The below is the chart for this specific code. Under Rural Retail Nurseries are permitted with a conditional use permit that meets the condition listed below:

**21A.08.070 Retail land uses.**

**A. Retail land uses.**

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-3	R12-48	NB	CB	RB	O	I (30)
*	Building Materials and Hardware Stores		P23						P2	P	P		
*	Retail Nursery, Garden Center and Farm Supply Stores	P1 C1			P1 C1				P	P	P		
*	Forest Products Sales	P3 and 4	P4		P3 and 4						P		
*	Department and Variety Stores						C14a	P14	P5	P	P		
S4	Food Stores						C15a	P15	P	P	P	C	P6
*	Agricultural Product Sales (28)							P25	P25	P25	P25	P25	P25
*	Farmers Market	P24	P24		P24	P24	P24	P24	P24	P24	P24	P24	P24

**B. Development conditions.**

1.a. As a permitted use, covered sales areas shall not exceed a total area of two thousand square feet, unless located in a building designated as historic resource under K.C.C. chapter 20.62. With a conditional uses permit, covered sales areas of up to three thousand five hundred square feet may be allowed. Greenhouses used for the display of merchandise other than plants shall be considered part of the covered sales area. Uncovered outdoor areas used to grow or display trees, shrubs, or other plants are not considered part of the covered sales area;



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An additional temporary RV Tent (340 SQ FT) was also observed on site and is used for additional storage.

Lastly, the ecology block walls through out the parcel are considered a structural item. The ecology block walls in the "Loading Dock Area" are technically under 4-feet of height so they should not require a building permit. Unfortunately, approximately 60 linear feet of this portion of the eco block wall is constructed on the parcel to the west: Parcel 2752200009. This parcel is not currently owned by Mr. Sean Foley, because this was constructed on property that Mr. Sean Foley does not own then it is highly recommended to either remove the wall, request an easement for the structure, or purchase this area from the current owner of parcel 2752200009. In addition to the wall section being constructed on the neighboring property there is approximately 25 linear feet of wall that has been constructed in the building setback area. This was specifically mentioned in the King County Violation Report.

The wall along the southeastern property line shares the same complication as the loading dock section of the wall. This can be observed in the Existing Conditions Plan shown on Page 7 of this report.

**New Impervious Surfaces:**

This site has had added additional impervious surfaces over the years to include expanding the asphalt paved parking area, the gravel storage / work areas, additional buildings, and the small asphalt path to the loading dock area along the western property line.

The total asphalt / gravel impervious surface on site totals approximately 24,640 SQ FT for both onsite and office constructed surfaces.

The small asphalt path (approximately 10-foot Wide) has approximately 475 SQ FT of asphalted path constructed on the neighboring parcel 2752200009. Like the situation with the wall constructed on the neighboring property this portion of pavement will need to be addressed through easements, purchase, or removal.

**Violation Remarks:**

**King County Violation item number 1 Operation of a Fruit and Vegetable Market from a parcel divided into two different zones is in violation of Section 21A.08.070.**

There is a number of resolutions to this violation, but it is Abbey Road Groups Recommendation that a conditional use permit be applied for as the Violation specifically states that the RA-5 Portion of the property is in violation, which is currently the case only because a Conditional Use Permit has not been applied for at this time. With the area of sales facility in RA-5 is under 2,000 SQ FT the application should be considered.

If this option does not satisfy violation #1 then rezoning the parcel to be NB-P should be pursued.



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King County Violation #2A – A cooler has been constructed on the RA-5 Portion of the property.

This will require a building permit and will need to be included in the conditional use permit application process.

King County Violation #2B - Two story Office approximately 250'

This will require a building permit as an accessory and will need to be included in the conditional use permit application process.

King County Violation #2C- Setup of a Tent Structure (Temporary Use)

This will require an additional permit – further investigation will need to be conducted for which permit type would be the most applicable for this facility. King County recommends a fire permit. This permit may be a yearly permit. This also will need to be included in the Conditional Use permit application.

King County Violation #2D- Over 2,000 SQFT of new impervious surface, clearing, and set back issues.

The site will need to resolve the items that have been constructed offsite or in the process of resolving or prior to submitting a King County ABC (already been constructed) Permit. This permit will require a site plan and engineering calculations for walls, stormwater management, building structural engineering, etc. This will also need to be included in the Conditional Use permit.

**Note:** Some of the violations can be resolved by simply contesting the violation. For example, King County's Definition of "Clearing" is as followed: "Clearing" means the cutting, killing, grubbing, or removing of vegetation or other organic material by physical, mechanical, chemical or any other similar means. KCMC 16.82.020(D).

If this is truly accurate then every time someone mows their lawn in King County they are in violation of this code.





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**Appendix A**

**King County Violation Case ENFR20-0079**

**Document**

---



**King County**  
**Department of Local Services**  
**Permitting Division**  
**Code Enforcement Section**  
35030 SE Douglas St., Ste. 210  
Snoqualmie, WA 98065-9266  
**206-296-6600** TTY Relay: 711  
www.kingcounty.gov

February 26, 2020

Sean Foley  
Foley's Produce LLC  
PO Box 1290  
Maple Valley, WA 98038

RE: King County Code Violation Code Enforcement Case #ENFR20-0079  
At: 21415 Renton Maple Valley Rd SE Zoning: NB-P & RA-5

Dear Mr. Sean Foley,

An inspection of the subject property and/or review of the file has confirmed the following violation(s) of the King County Code exists on the subject property.

1. Operation of a Fruit and Vegetable market from a parcel divided into two different zones (NB-P allows business, RA-5 does not allow business) in violation of Section 21A.08.070 of King County Code.
2. Construction and site development:
  - a.) a cooler (900 sq.ft. with 360 sq.ft. attached roof structure.
  - b.) two-story wood building (approximately 250 sq.ft. used as office and storage)
  - c.) setup of a tent structure (framing left up year round, canvas put on structure for several months of the year) without the required fire permit
  - d.) over 2,000 sq. ft. of new impervious for parking and other purposes (estimated over 27,000 sq.ft. of new impervious surface) cumulative clearing over 7,000 sq.ft. (most of parcel is cleared, with over 4,000 sq.ft. of clearing after 2011)

With structures within setbacks and use of the RA-5 portion of the parcel which is not zoned for this business, in violation of Sections 16.02.240, 16.82.050, 16.82.051, 21A.12.030, 21A.12.040, 21. A.28.020 of the King County Code and Sections 105.1 and 114 of the International Building Code.

Note: Entire fruit and vegetable business (including trucks, structures) would need to be relocated to the portion of the parcel zoned NB-P. All setbacks would need to be met.

To correct these violation(s):

1. And 2.

**1a. Apply for and obtain the required permits, inspections and approvals with complete application to be submitted by the following schedule:**

- A. Submit complete commercial permit pre-screening meeting request by **April 6, 2020.**

Note: Foley's Produce business would need to be entirely on the NB-P portion of the parcel.

B. Submitted application to the Health Department (if required) within 30 days of the permit pre-screen meeting; provide a copy of the Health Department application to Code Enforcement.

**NOTE:** A Critical Areas Designation (CAD) from Permitting may be required prior to Health Department submittal if a new septic design is required.

C. Submit complete building permit application is to be submitted **within 45 days of the building permit pre-application meeting.**

**NOTE:** Application for a permit does not ensure that a permit will be issued. An applicant should also be aware that permit fees and/or site conditions and/or repair expenses may make the application cost prohibitive. The only alternative may be to demolish the non-permitted construction.

D. Meet all deadlines for requested information associated with the permit(s) and pick up the permit(s) within the required deadlines. Request a building inspection **within 15 days of building permit issuance**, make any required corrections and obtain final approval for occupancy **within one year** of permit issuance.

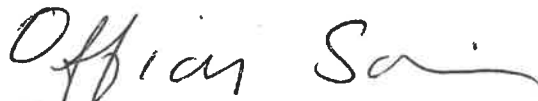
E. **If permit application or any required approvals including but not limited to Health Department approval is denied**, apply for and obtain a demolition and grading permits to remove the new construction and address the grading issues. Demolition must be completed **within 60 days of permit issuance** even though a demolition permit is good for 1 year. The grading permit must be finalized within the one-year issuance time period.

OR

**1b. Relocate business to a new location. Obtain a a demolition permit and follow 1a above for violation 2d.** construction. Demolition must be completed **within 60 days of permit issuance** even though a Date to be determined. Based on our conversation this is not a preferred option.

Our office will follow up to determine compliance after the compliance date above. If the violations are not corrected at the time of the follow up, our office has the authority to and will issue a legal notice which requires compliance by a specific date. The legal notice, also known as a Notice and Order, subjects you to civil penalties and is recorded against your property title. To avoid the Notice and Order you have the option of entering into a Voluntary Compliance Agreement (VCA) to achieve compliance. Similar to the Notice and Order, the VCA is a legal document in which you acknowledge that you have violations on your property and agree to bring them into compliance by a specific date. The VCA can also subject you to civil penalties and is recorded against your property title.

Please contact me at (206) 477-0291 or by email at [holly.sawin@kingcounty.gov](mailto:holly.sawin@kingcounty.gov). Thank you for your cooperation.



Officer Sawin  
King County Code Enforcement

Enclosure:

Commercial ABC permit pre-screen application packet  
21A.08.070 King County Code  
Code Enforcement Brochure





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## Appendix B

# Site Observation Narrative Photographs



*Service Disabled Veteran Owned Small Business*



Above: Looking west at face of parcel

Below: Looking West inside gate







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Above: looking Southwest at wall and temp tent

Below: Ecology Block wall (2 Blocks High) 53" tall







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Above: Looking West along wall

Below: Looking Northwest over parking lot







*Service Disabled Veteran Owned Small Business*



Above: Looking Northeast over northern portion of parking lot and lot drain

Below: Looking at Rip rap pad where lot drains to as well as CB in eastern parking lot







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Above: Looking at Temp Tent structure

Below: Temp Tent Structure tie-downs north side of tent







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Above: Temp Tent tie downs south side

Below: tent die downs and gravel walking / operating path







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Above: Wall on south side of Parking lot showing Handy-cap stall

Below: Showing the east side of the Freezer Unit







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Above: Freezer unit south side of building

Below: Freezer unit west side of building







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Above: freezer unit west side of freezer unit

Below: Freezer unit north side







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Above: Freezer unit French drain

Below: Freezer unit 4" concrete pad below unit







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Above: RV Cover Temp and Conex storage unit

Below: Both Conex storage units







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Above: Office Building east side of structure

Below: 10' wide asphalt path to loading dock







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Above: 10' wide asphalt path to loading dock looking north

Below: 10' wide asphalt path to loading dock and eco block wall looking north







*Service Disabled Veteran Owned Small Business*



Above: loading dock looking northeast

Below: Loading dock looking west







*Service Disabled Veteran Owned Small Business*



Above: loading area north of loading dock looking north

Below: Loading dock area looking south from Road







*Service Disabled Veteran Owned Small Business*



Above: Loading area looking southeast from road

Below: Looking north at driveway access and storm drain out fall







*Service Disabled Veteran Owned Small Business*



Above: Rip Rap Pad drainage from Renton Maple Valley Road and Parking Lot outfalls here

Below: Driveway access looking northeast







*Service Disabled Veteran Owned Small Business*



Above: Driveway access showing catch basin looking north

Below: Eastern Parking Lot looking south







*Service Disabled Veteran Owned Small Business*



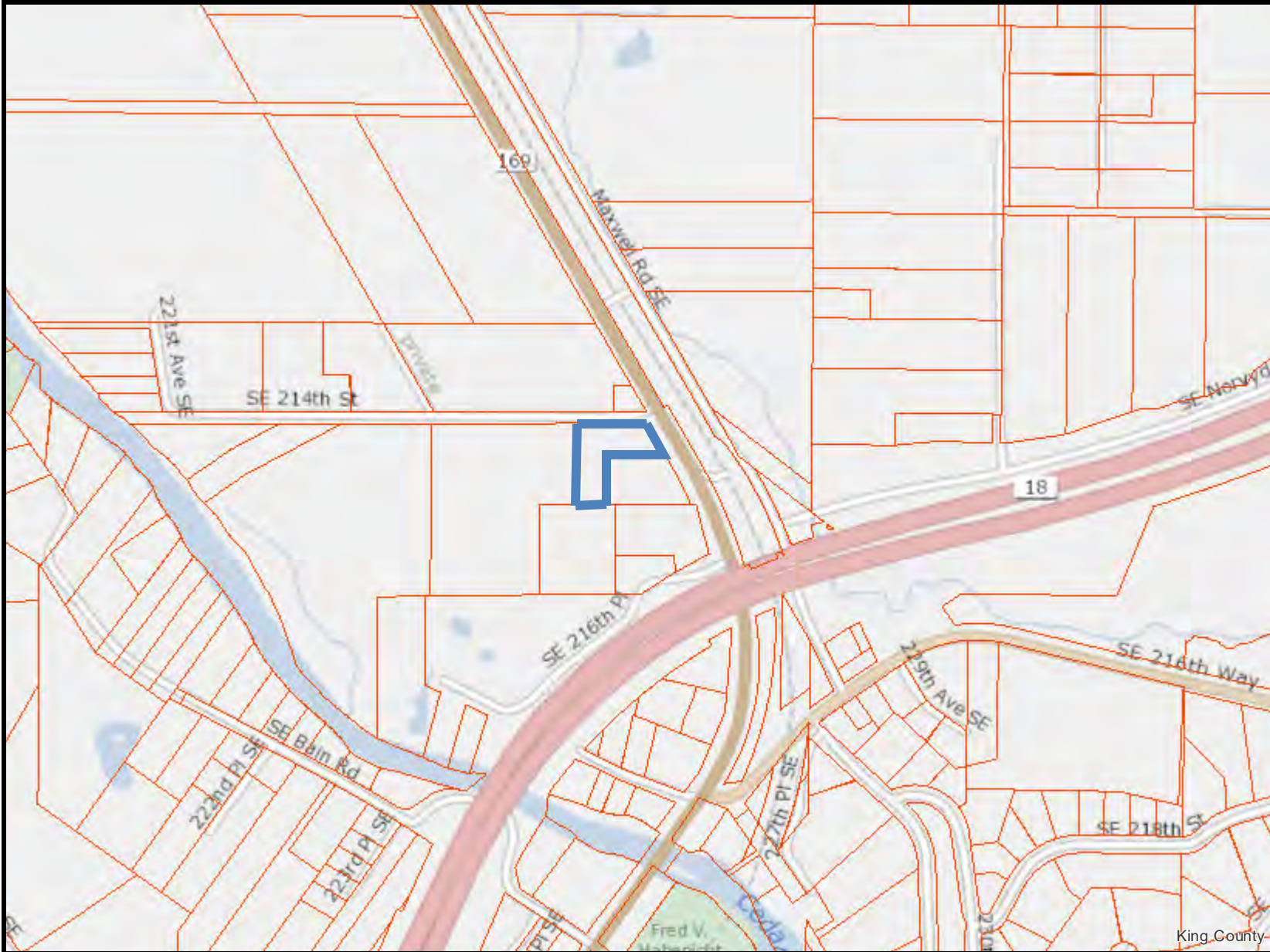
Above: Eastern Parking Lot looking south

Below: Eastern Parking Lot looking east





# 21- 112 vicinity Map



## Legend

Parcels

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: 2/2/2021

Notes:



King County



# 21-112, Zoning Map



- ### Legend
- Parcels
  - Unincorporated KC zoning**
  - A-10 - agricultural, one DU per 10 acres
  - A-35 - agricultural, one DU per 35 acres
  - F - forest
  - M - mineral
  - RA-2.5 - rural area, one DU per 5 acres
  - RA-5 - rural area, one DU per 5 acres
  - RA-10 - rural area, one DU per 10 acres
  - UR - urban reserve, one DU per 5 acres
  - R-1 - residential, one DU per acre
  - R-4 - residential, 4 DU per acre
  - R-6 - residential, 6 DU per acre
  - R-8 - residential, 8 DU per acre
  - R-12 - residential, 12 DU per acre
  - R-18 - residential, 18 DU per acre

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Date: 12/29/2021

Notes:

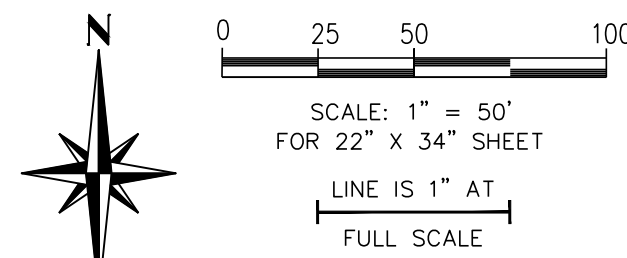


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# 21409 Renton Maple Valley Road SE

## BOUNDARY AND TOPOGRAPHIC SURVEY A PORTION OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 09, TOWNSHIP 22 NORTH, RANGE 06 EAST, WILLAMETTE MERIDIAN COUNTY OF KING, STATE OF WASHINGTON



### LEGAL DESCRIPTION

AS PER FIRST AMERICAN TITLE INSURANCE COMPANY SUBDIVISION GUARANTEE, GUARANTEE NUMBER 5003353-3404192, DATED MARCH 22, 2021

THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 22 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SUBDIVISION AND RUNNING THENCE NORTH 89°48'32" WEST ALONG THE SOUTH LINE THEREOF 820.00 FEET; THENCE NORTH 0°11'28" EAST 567.60 FEET; THENCE NORTH 89°49'28" EAST 288.53 FEET TO THE WESTERLY LINE OF P.S.E. NO. 5, RENTON-MAPLE VALLEY ROAD, AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°49'28" WEST 260.70 FEET; THENCE SOUTH 0°11'28" WEST 275.00 FEET; THENCE NORTH 89°49'28" EAST 92.17 FEET; THENCE NORTH 0°11'28" EAST 175.00 FEET; THENCE NORTH 89°49'28" EAST 224.44 FEET TO THE WESTERLY LINE SAID P.S.H. NO. 5; THENCE NORTH 29°06'30" WEST, ALONG SAID WESTERLY LINE, 114.26 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT THAT PORTION THEREOF CONVEYED TO KING COUNTY FOR ROAD BY DEED RECORDED MARCH 4, 1980 UNDER RECORDING NO. 8003040707.

(ALSO KNOWN AS PORTION OF TRACT 1 OF W.D. GIBBON FARM, UNRECORDED.)

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

### BASIS OF BEARINGS

HELD PUBLISHED NAD 83/91 STATE PLANE NORTH ZONE GRID BEARING OF S 43° 55' 50" E BETWEEN A FOUND MONUMENT AT KING COUNTY HORIZONTAL CONTROL POINT DESIGNATION #6358 TO A FOUND MONUMENT AT KING COUNTY HORIZONTAL CONTROL POINT DESIGNATION #6137 WERE HELD. UNIT OF MEASUREMENT IS U.S. SURVEY FEET.

### HORIZONTAL DATUM

NAD 83/91 STATE PLANE, NORTH ZONE AS COMPUTED FROM KING COUNTY DATA SHEETS AS HELD BY THE WGS SURVEY CONTROL RECORDS ARCHIVE (<https://www.wgsorchive.org/>). ALL DISTANCES SHOWN HEREIN ARE GROUND. PUBLISHED COORDINATES AT KING COUNTY HORIZONTAL CONTROL POINT DESIGNATION #6137 WERE HELD. UNIT OF MEASUREMENT IS U.S. SURVEY FEET.

### VERTICAL DATUM

NAVD 88

### PROJECT BENCHMARK

KING COUNTY PUBLISHED HORIZONTAL/VERTICAL CONTROL DESIGNATION NO. 6358

PUBLISHED ELEVATION: 332.32 FEET NAVD 88

DESCRIPTION: 1 1/2" ALUMINUM DISK WITH "X" STAMPED "KING COUNTY 6358 1996" SET IN SHOULDER OF SR-169 (RENTON MAPLE VALLEY ROAD). MONUMENT IS 0.15' BELOW THE ASPHALT.

### METHODOLOGY AND EQUIPMENT

THIS SURVEY WAS PERFORMED BY FIELD TRAVERSE AND RADIAL METHODS WITH A TOPCON PS 103A 3" TOTAL STATION TOGETHER AND MEETS OR EXCEEDS THOSE STANDARDS IDENTIFIED BY WAC 332-130-090.

### REFERENCES

- RECORD OF SURVEY AFN 20010816900004 (R1)
- DEED AS CONTAINED WITHIN FIRST AMERICAN TITLE INSURANCE COMPANY SUBDIVISION GUARANTEE, GUARANTEE NUMBER 5003353-3404192, DATED MARCH 22, 2021 (DEED)

### SURVEYORS NOTES

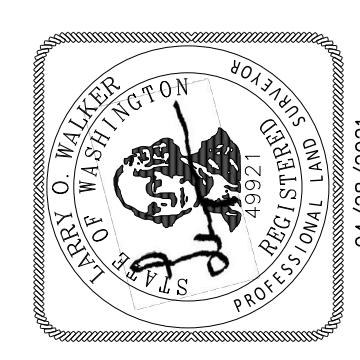
- THE PURPOSE OF THIS SURVEY TO SHOW THE EXISTING CONDITIONS OF THE SUBJECT PARCEL.
- DATE OF SURVEY: APRIL OF 2021.
- NO DEED CORNERS WERE SET THIS SURVEY.
- THE SURVEY IS BASED UPON THAT CERTAIN RECORD OF SURVEY AS RECORDED UNDER 20010816900004. THE CENTERLINE OF RENTON-MAPLE VALLEY HIGHWAY, SECTION INFORMATION AND DEED LINES ARE BASED FROM SAID SURVEY. THIS SURVEY AGREES WITH OTHER SURVEYS PERFORMED IN THE AREA.
- IT APPEARS THAT THE ROAD BUILT FOR SE 214TH ST DOES NOT FALL WITHIN CALCULATED RIGHT OF WAY. THE CALCULATED CENTERLINE AGREES WITH MANY SURVEYS PERFORMED IN THE AREA ALONG THE SOUTH MARGIN THEREOF. AN UNRECORDED SURVEY DONE BY ROY STOREY TITLED "SURVEY OF TRACT 1, W.D. GIBBON'S FARM TRACTS", DATED SEPT. 1948 DEPICTS THE CENTERLINE AS SHOWN HEREON. IT IS NOT THE INTENT OF THIS SURVEY RESOLVE ANY MATTERS PERTAINING TO RIGHTS OF THE CLIENT NOR RIGHT OF THE COUNTY PERTAINING TO THIS MATTER.
- THIS SURVEY DOES NOT PURPORT TO SHOW ANY OR ALL EASEMENTS OF RECORD. THERE MAY EXIST MATTERS OF TITLE OR EASEMENTS NOT SHOWN HEREON. FULL RELIANCE WAS PLACED UPON THE SUPPLIED TITLE REPORT STATED HEREIN.
- IN ACCORDANCE WITH REVISED CODE OF WASHINGTON (R.C.W.) 58.09 AND THE WASHINGTON ADMINISTRATIVE CODE (W.A.C.) 332-130, THIS SURVEY MAY DEPICT OCCUPATIONAL INDICATORS THAT DIFFER FROM THE DEEDED LOT LINES (SUCH AS FENCES, ETC.). THESE INDICATORS, IF AT ALL PRESENT, MAY REPRESENT A POTENTIAL FOR CLAIMS OF UNWRITTEN TITLE. THIS SURVEY DOES NOT PURPORT TO RESOLVE SUCH MATTERS. DO NOT REMOVE SUCH ITEMS WITHOUT OWNERS CONSENT AND/OR LEGAL COUNCIL.
- THE CONTOUR INTERVAL SHOWN IS 2 FOOT AND WAS GENERATED THROUGH DIRECT FIELD OBSERVATIONS.
- THE UTILITIES SHOWN HEREON, IF ANY, ARE BASED UPON SURFACE EVIDENCE FIELD OBSERVATIONS AS DISCOVERED DURING THE PROCESS OF CONDUCTING THE FIELD SURVEY. NO UTILITY LOCATE SERVICES WERE UTILIZED THIS SURVEY. UTILITIES MAY EXIST THAT ARE NOT SHOWN HEREON.
- THE LIMITS AS AGREED UPON BETWEEN ABBEY ROAD GROUP AND THE CLIENT WERE LIMITED THE SUBJECT PARCEL, TO THE SOUTHWESTERLY FOGLINE OF RENTON-MAPLE VALLEY HIGHWAY, AND AS CONSTRUCTED CENTERLINE OF SE 214TH STREET.
- THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF SEAN FOLEY AND DOES EXTEND TO ANY UNNAMED PERSON OR PERSONS WITHOUT EXPRESS CERTIFICATION BY SURVEYOR NAMING SAID PARTY.

BOUNDARY WORKSHEET,  
LEGAL DESCRIPTION,  
NOTES

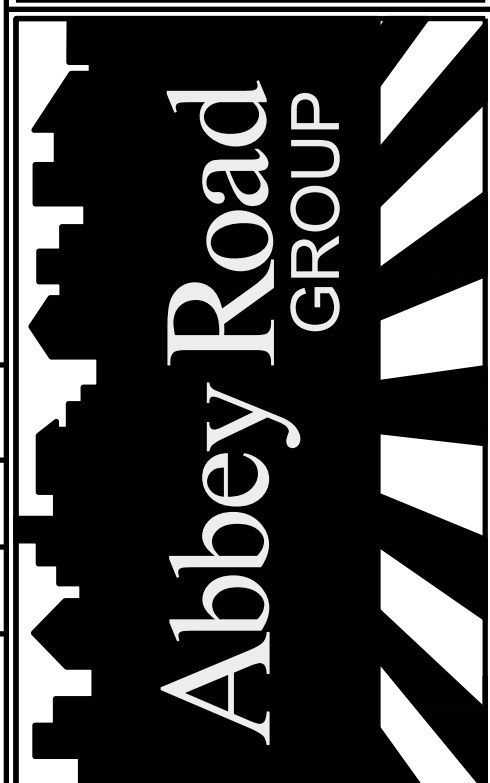
TITLE:

FOR: Sean Foley  
21409 Renton Maple Valley Rd SE  
Maple Valley, WA 98038

DATE:



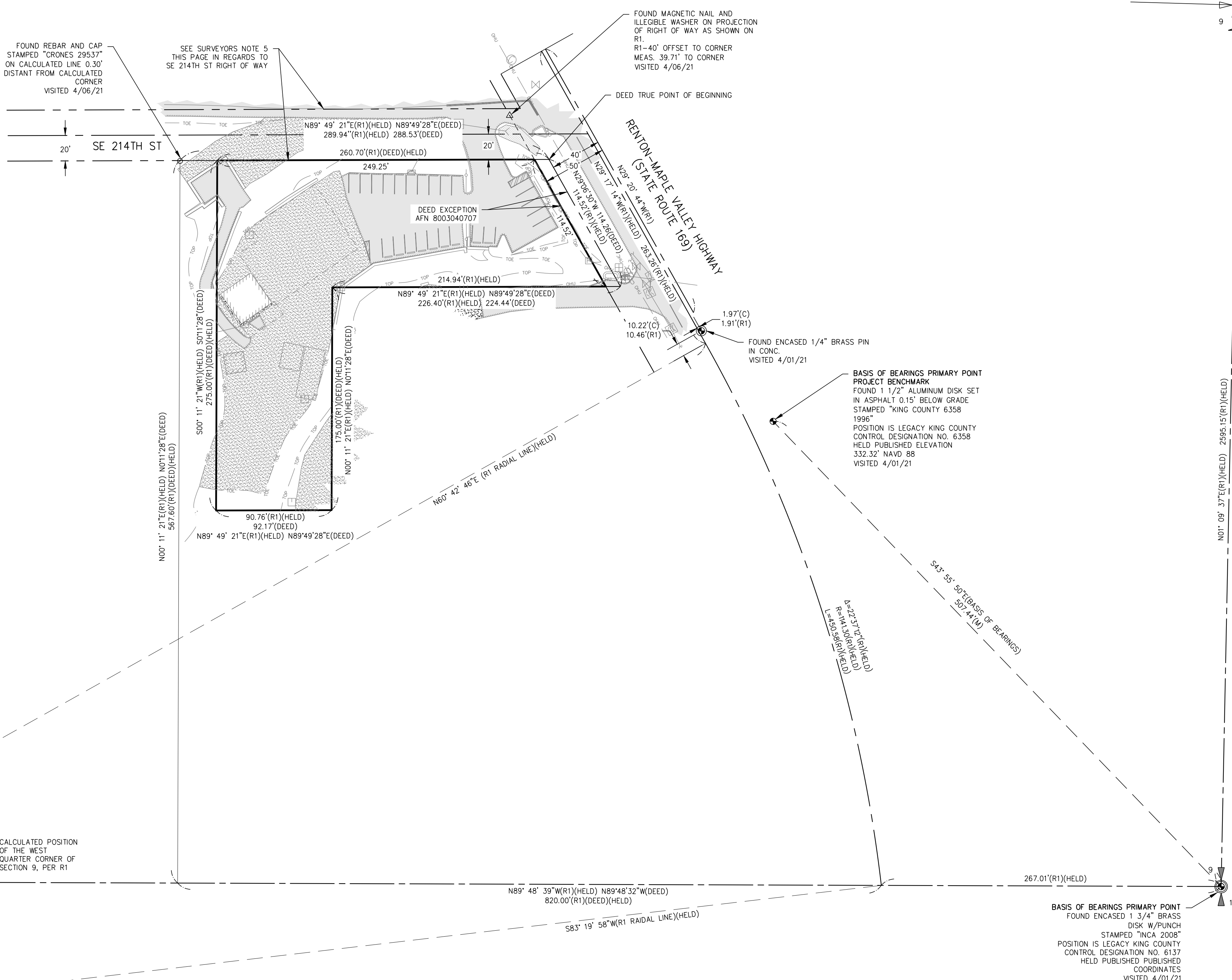
Abbey Road Group  
Land Development  
Services Company, LLC  
923 SHAW ROAD, SUITE A  
PUYALLUP, WA 98372  
P.O. Box 1224, Puyallup, WA 98371  
(253) 435-3699, Fax (253) 446-3159



REVISIONS:

NO.	DATE	DESCRIPTION

JOB #: 21-112  
DESIGNED BY:  
DEVELOPMENT REVIEW:  
APPROVED BY: L. WALKER  
DRAFTED BY: L. WALKER  
DATE: APRIL 28, 2021  
SHEET: SV-01 (SHEET 1 OF 2)



### TITLE REPORT SCHEDULE B "RECORD MATTERS"

- NOT AN SURVEY ITEM.
- NOT AN SURVEY ITEM.
- NOT AN SURVEY ITEM.
- NOT AN SURVEY ITEM.
- NOT AN SURVEY ITEM.
- NOT AN SURVEY ITEM.
- EASEMENT, INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN, RECORDING INFORMATION: DECEMBER 17, 1917 UNDER RECORDING NO. 1179410 IN FAVOR OF CHICAGO, MILWAUKEE AND ST. PAUL RAILWAY COMPANY FOR: RIGHT TO ERECT AND MAINTAIN AN ELECTRIC TRANSMISSION SYSTEM SAID EASEMENT IS BLANKET IN NATURE AND HAS NOT BEEN PLOTTED HEREON.
- RIGHT TO MAKE NECESSARY SLOPES FOR CUTS OR FILLS UPON SAID PREMISES FOR ROAD AS GRANTED BY DEED. RECORDED MARCH 04, 1980 UNDER RECORDING NO. 8003040707. SAID DOCUMENT GRANTS KING COUNTY THE RIGHT TO MAKE ALL NECESSARY CUTS/FILLS UPON THE SUBJECT PROPERTY. THE LIMITS ARE NOT DEFINED AND HAS NOT BEEN PLOTTED HEREON.
- CONDITIONS, NOTES, EASEMENTS, PROVISIONS AND/OR ENCROACHMENTS CONTAINED AND/OR DELINEATED ON THE FACE OF THE SURVEY RECORDED UNDER RECORDING NO. 20010816900004, RECORDED IN VOLUME 147 OF SURVEYS, AT PAGE(S) 13, IN KING COUNTY, WASHINGTON. SAID SURVEY DEPICTS A ASPHALT DRIVEWAY. SAID DRIVEWAY HAS BEEN PLOTTED HEREON.

### TITLE REPORT SCHEDULE B "RECORD MATTERS"(CONT'D)

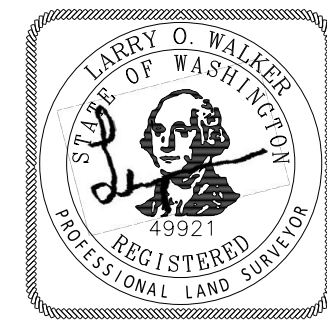
- NOT AN SURVEY ITEM.
- EASEMENT, INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN, RECORDING INFORMATION: JANUARY 28, 2009 UNDER RECORDING NO. 20090128000517 FOR: PARKING. SAID EASEMENT GRANTS KING COUNTY TAX PARCEL NO. 2752200011 (PARCEL B AS CONTAINED WITHIN EASEMENT DOCUMENT) A NON-EXCLUSIVE PARKING EASEMENT IN FAVOR OF PARCEL A (SUBJECT PARCEL DEPICTED ON THIS SURVEY). THE EXACT PARKING STALLS WERE NOT DELINEATED IN THE EASEMENT DOCUMENT. ALL THE PARKING STALLS THAT WERE OBSERVED ON THE SUBJECT PARCEL HAS BEEN PLOTTED HEREON.

### LEGEND

- (M) MEASURED
- (C) CALCULATED
- (RX) SEE REFERENCED DOCUMENTS LIST
- (DEED) DEED METES OR BOUND AS CONTAINED WITHIN REFERENCED TITLE REPORT
- CALCULATED SUBJECT PARCEL DEED LINE
- - - CALCULATED ROAD CENTERLINE
- - - CALCULATED ROAD RIGHT OF WAY MARGIN
- CALCULATED SECTIONAL LINE

SHEET INDEX:  
SV-01: BOUNDARY WORKSHEET, LEGAL DESCRIPTION AND NOTES  
SV-02: TOPOGRAPHIC SURVEY MAP

LARRY O. WALKER P.L.S. WASH. REG. NO. 49921 DATE 04/28/2021



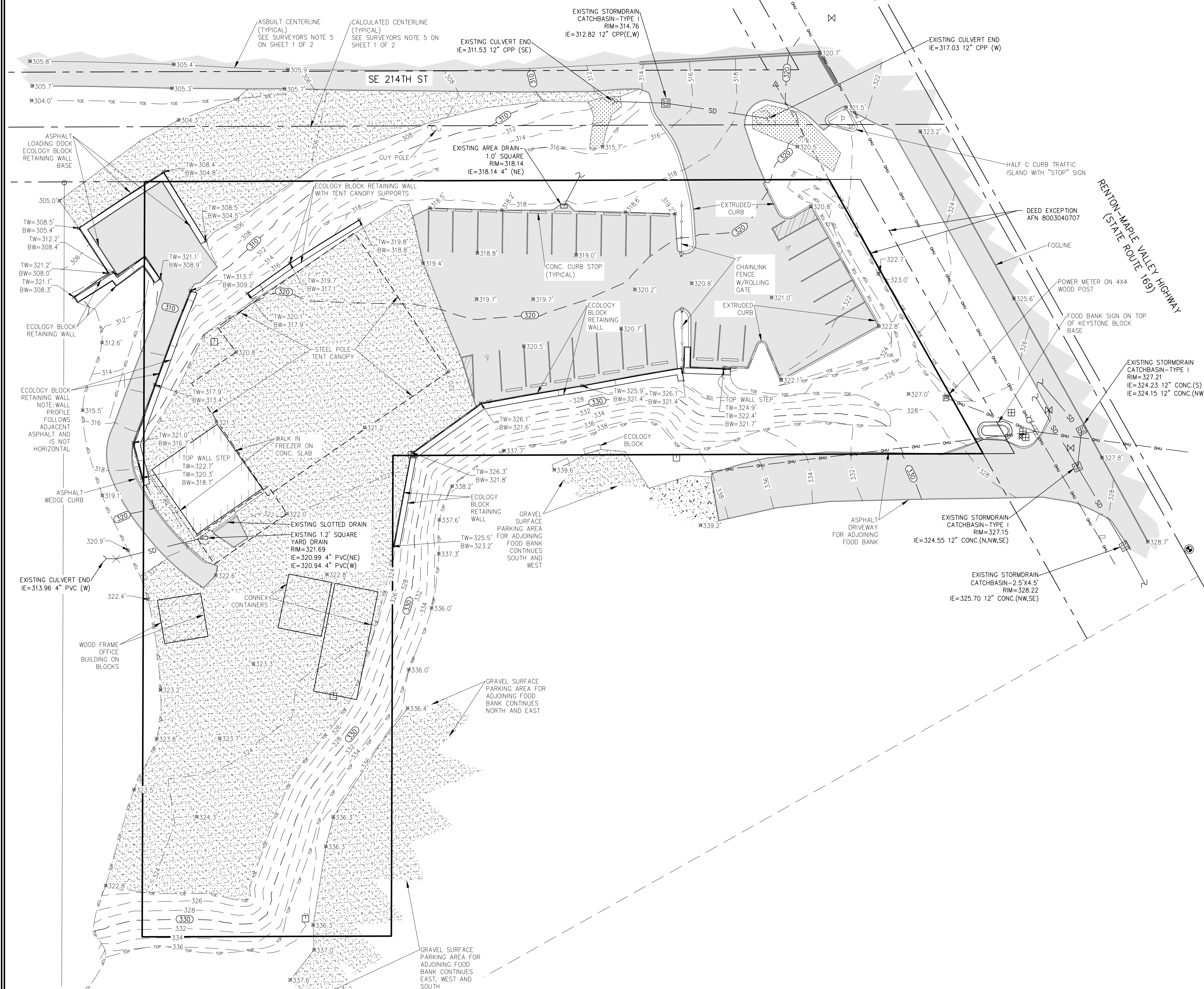
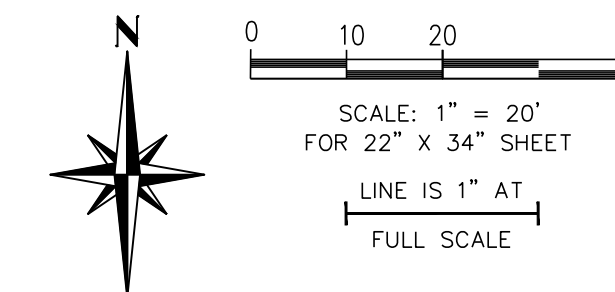


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# 21409 Renton Maple Valley Road SE

BOUNDARY AND TOPOGRAPHIC SURVEY  
 A PORTION OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 09,  
 TOWNSHIP 22 NORTH, RANGE 06 EAST, WILLAMETTE MERIDIAN  
 COUNTY OF KING, STATE OF WASHINGTON



**BASIS OF BEARINGS**

Held published NAD 83/91 STATE PLANE NORTH ZONE GRID BEARING OF S 43° 55' 50" E BETWEEN A FOUND MONUMENT AT KING COUNTY HORIZONTAL CONTROL POINT DESIGNATION #6358 TO A FOUND MONUMENT AT KING COUNTY HORIZONTAL CONTROL POINT DESIGNATION #6137.

**HORIZONTAL DATUM**

NAD 83/91 STATE PLANE, NORTH ZONE AS COMPUTED FROM KING COUNTY DATA SHEETS AS HELD BY THE WGS SURVEY CONTROL RECORDS ARCHIVE (<https://www.wgsarchive.org/>). ALL DISTANCES SHOWN HEREIN ARE GROUND. PUBLISHED COORDINATES AT KING COUNTY HORIZONTAL CONTROL POINT DESIGNATION #6137 WERE HELD. UNIT OF MEASUREMENT IS U.S. SURVEY FEET.

**VERTICAL DATUM**

NAVD 88

**PROJECT BENCHMARK**

KING COUNTY PUBLISHED HORIZONTAL/VERTICAL CONTROL DESIGNATION NO. 6358  
 PUBLISHED ELEVATION ELEVATION:  
 332.32 FEET NAVD 88  
 DESCRIPTION:  
 1 1/2" ALUMINUM DISK WITH "X" STAMPED "KING COUNTY 6358 1996" SET IN SHOULDER OF SR-169 (RENTON MAPLE VALLEY ROAD). MONUMENT IS 0.15' BELOW THE ASPHALT.

**LEGEND**

- (M) MEASURED
- (C) CALCULATED
- (RX) SEE REFERENCED DOCUMENTS LIST
- CALCULATED SUBJECT PARCEL DEED LINE
- CALCULATED ROAD CENTERLINE
- CALCULATED ROAD RIGHT OF WAY MARGIN
- XXX --- EXISTING 2 FOOT MAJOR CONTOUR INTERVAL
- XXX --- EXISTING 2 FOOT MINOR CONTOUR INTERVAL
- EXISTING BUILDING OVERHANG LINE
- SD --- EXISTING STORMDRAIN LINE
- OHU --- EXISTING OVERHEAD UTILITY LINE
- TOP --- TOP OF SLOPE
- TOE --- TOE OF SLOPE
- [Symbol] EXISTING STORMDRAIN CATCHBASIN
- [Symbol] EXISTING STORMDRAIN CULVERT END
- [Symbol] EXISTING WATER METER
- [Symbol] EXISTING WATER VALVE
- [Symbol] EXISTING FIRE HYDRANT
- [Symbol] EXISTING WATER HOSE BIB
- [Symbol] EXISTING UTILITY POLE
- [Symbol] EXISTING SIGN
- [Symbol] EXISTING SURFACE SPOT GRADE
- [Symbol] EXISTING CONCRETE SURFACE
- [Symbol] EXISTING ASPHALT SURFACE
- [Symbol] EXISTING GRAVEL SURFACE

**SHEET INDEX:**  
 SV-01: BOUNDARY WORKSHEET, LEGAL DESCRIPTION AND NOTES  
 SV-02: TOPOGRAPHIC SURVEY MAP

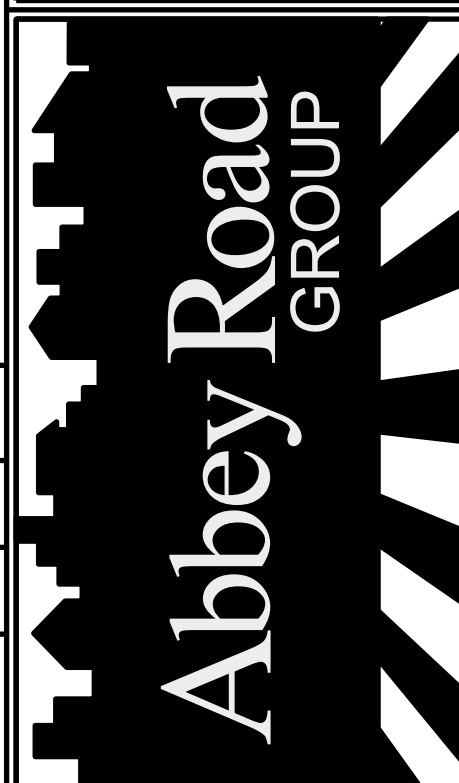
TOPOGRAPHIC SURVEY

TITLE:

FOR: Sean Foley  
 21409 Renton Maple Valley Rd SE  
 Maple Valley, WA 98038



Abbey Road Group  
 Land Development  
 Services Company, LLC  
 923 SHAW ROAD, SUITE A  
 PUYALLUP, WA 98372  
 P.O. Box 1224, Puyallup, WA 98371  
 (253) 435-3699, Fax (253) 446-3159



REVISIONS:

BY:	CHK:	APR:	DATE:	PER:
JOB #: 21-112				
DESIGNED BY:				
DEVELOPMENT REVIEW:				
APPROVED BY: L. WALKER				
DRAFTED BY: L. WALKER				
DATE: APRIL 28, 2021				
SHEET: SV-02 (SHEET 2 OF 2)				

## Attachment B: Public Comments on 2022 Docket Submittals

The following public comment was submitted following the release of the 2022 Docket Submittals Report.

### In Reference to Docket #1 and Docket #2

**From:** Karen Deal <[Karen.Deal@lakesideindustries.com](mailto:Karen.Deal@lakesideindustries.com)>  
**Sent:** Wednesday, February 23, 2022 1:42 PM  
**Cc:** John Hempelmann <[JHempelmann@Cairncross.com](mailto:JHempelmann@Cairncross.com)>  
**Subject:** Comment on King County Comprehensive Plan Docket

On behalf of Lakeside Industries, I am writing to oppose two comprehensive plan docket items on the 2022 Docket Submittals Report for the 2024 Comprehensive Plan Update. Lakeside Industries owns property on SR 169 that is designated and zoned Industrial, and is the subject of permit applications for an asphalt plant. One of the vocal opponents of Lakeside's permit applications is Eric Hudson. Eric Hudson has requested two Comprehensive Plan Amendments, which are listed on the 2022 Docket Submittals Report for consideration in the 2024 Comprehensive Plan Update. One of the Hudson requests is to change the Comprehensive Plan Designation of the Lakeside property from Industrial to Rural. Lakeside opposes this request. The second Hudson request is to designate the Cedar River Basin as a Critical Aquifer Recharge Area. Lakeside opposes this request. Please include me as a party of record in the County's Comprehensive Plan Update process. Thank you.

Sincerely,  
Karen

**Karen Deal**, *Environmental & Land Use Director*

Lakeside Industries, Inc. |6505 226th Place S.E. - Suite 200|P.O. Box 7016|Issaquah, WA, 98027

Phone: (425) 313-2660|Cell: (425) 864-5081| [karen.deal@lakesideindustries.com](mailto:karen.deal@lakesideindustries.com)

