

2026 Docket Report

April 30, 2026



King County

Summary

The Washington State Growth Management Act (GMA) and King County Code (KCC) require that the County use a docket process for interested parties to suggest changes to the King County Comprehensive Plan. The County evaluates and responds to each item registered on the docket, providing a feedback loop, as required by Revised Code of Washington (RCW) 36.70A.470.

The following table summarizes docket requests submitted in 2025 and Executive responses.

#	Proponent Name	Summary of Docket Request	Recommend inclusion in next Executive update?
1	Joint Rural Team	Amend Rural Neighborhood Commercial Center policy and code to prohibit workforce housing.	▪ Not eligible for an annual Plan update. ▪ Do not recommend consideration in the 2029 midpoint update. ▪ Potentially consider as part of the 2034 10-year update, if warranted.
2	Jennifer & Patrick Husting	Increase zoning density on an unincorporated parcel near Sammamish (requires collateral land use designation changes).	▪ While eligible, do not recommend in annual Plan update. ▪ Recommend adding to Scope of Work for the 2029 midpoint update.
3	Proponents affiliated with Unincorp. Area Councils	Amend County Battery Energy Storage System (BESS) code to address several environmental, health, and safety topics.	▪ While code changes are eligible annually, do not recommend stand-alone amendment. ▪ Do not recommend consideration in the 2029 midpoint update. ▪ Potentially consider as part of the 2034 10-year update, if warranted.
4	Joint Rural Team	Amend Agriculture and Forestry Product Processing in the Rural Area policy and code to require that the materials be grown in King County (with related definitional changes).	▪ Not eligible for an annual Plan update. ▪ Do not support changes.
5	Joint Rural Team	Amend Mineral Operations Five-Year Periodic Review policy and code to include the mining reclamation phase where authority has been granted to the County by the State.	▪ Not eligible for an annual Plan update. ▪ Do not support changes.
6	Tim O'Brien	Contract the Urban Growth Area near Black Diamond (at Lake 12) and change the existing urban area to Rural Area and Forestry land use and zoning.	▪ Not eligible for an annual Plan update. ▪ Do not recommend consideration in the 2029 midpoint update. ▪ Potentially consider as part of the 2034 10-year update, if warranted.

Background

The Washington State Growth Management Act (GMA)ⁱⁱ and King County Code (KCC)ⁱⁱⁱ require that the County use a docket process for interested parties to suggest changes to the King County Comprehensive Plan. Docket requests may include suggested changes such as:

- Policies, narrative text, and/or maps in the Comprehensive Plan,
- Land use designations and/or zoning classifications of parcels of land; and/or
- Development regulations in the KCC.

The County responds to each item registered on the docket, providing a feedback loop, as required by Revised Code of Washington (RCW) 36.70A.470. To meet the KCC's notification requirements, the County maintains a [website](#) where members of the public can docket written comments on the plan or on development regulations. Through this system, docket requests were submitted. Appendix A provides additional information about the docket process. Appendix B contains all of the information submitted with each docket request.

For each docket request, the following are provided:

- A summary title (used for reference purposes only),
- The proponent,
- Brief description of the request (used for reference purposes only),
- The type (policy, code, and/or map amendment),
- Classification (eligibility for a stand-alone code change, or an annual, midpoint, or 10-year plan update),
- Location by County Council district and Community Service Area,
- Analysis, and an
- Executive recommendation.

Docket Request #1: Rural Neighborhood Commercial Centers & Workforce Housing

A. Proponent: Joint Rural Team (i.e., the “rural” subset of the Joint Team of King County Rural and Urban Unincorporated Area organizations)

B. Brief description: Amend Rural Neighborhood Commercial Centers policies and code to prohibit workforce housing.

C. Type: Policy and Code amendments.

D. Classification: Docket item is not eligible for an annual update as it would require substantive changes to Comprehensive Plan policies but is eligible for a midpoint or 10-year update.

E. Location: County Council Districts: All districts with Rural Neighborhood Commercial Centers – 3, 8, 9.

Community Service Areas: Bear Creek/ Sammamish, Snoqualmie Valley/NE King County, Greater Maple Valley/Cedar River, SE King County, and Vashon-Maury Island.

F. Analysis: The 2024 Comprehensive Plan update included several policy changes^{iv} that relate to this docket request.

- R-302 was added to express support for rural affordable housing which, while not directly referencing RNCCs, identified new support for different types of housing in rural areas with criteria regarding a limit on growth; size, scale, and character; and levels of service.

- R-303 was amended to specifically state that RNCCs should allow low or middle densities that support housing co-located with commercial development to provide workforce housing.
- R-320, as amended, promotes connectivity for active transportation in larger RNCCs; while not specific to housing, the policy concerns residential-related activities that support workforce housing.
- R-401 is specific to RNCCs and was amended to state that workforce housing, when part of mixed-use development, is allowed.

Commensurate changes were made to the KCC through Ordinance 19881,^v which adopted the 2024 Comprehensive Plan Update. The primary change was to lower the allowed density from eight dwelling units per acre to four dwelling units per acre, and to specify that housing is allowed in RNCCs as part of a mixed-use development. These and other related changes reflect an amended approach to RNCCs and were recently adopted in the 2024 Update.

G. Executive recommendation: The Executive does not recommend consideration in the 2029 midpoint update. The regulations were adopted in late 2024, and time should be provided to assess their effect and impacts. Modest amounts of housing in rural centers from these changes may be consistent with priorities related to housing.

Allowing time for the policies to be implemented will be informative. The docket request does not identify new information that would warrant making this change now, meaning the request does not appear to be time-sensitive and needing to be addressed before the next 10-year update,^{vi} which is a requirement for inclusion in a midpoint update. If development and impacts are significant in the coming years, the County could consider changes in the next 10-year update.

Docket Request #2: Sammamish Potential Annexation Area Rezone

A. Proponent: Jennifer & Patrick Husting

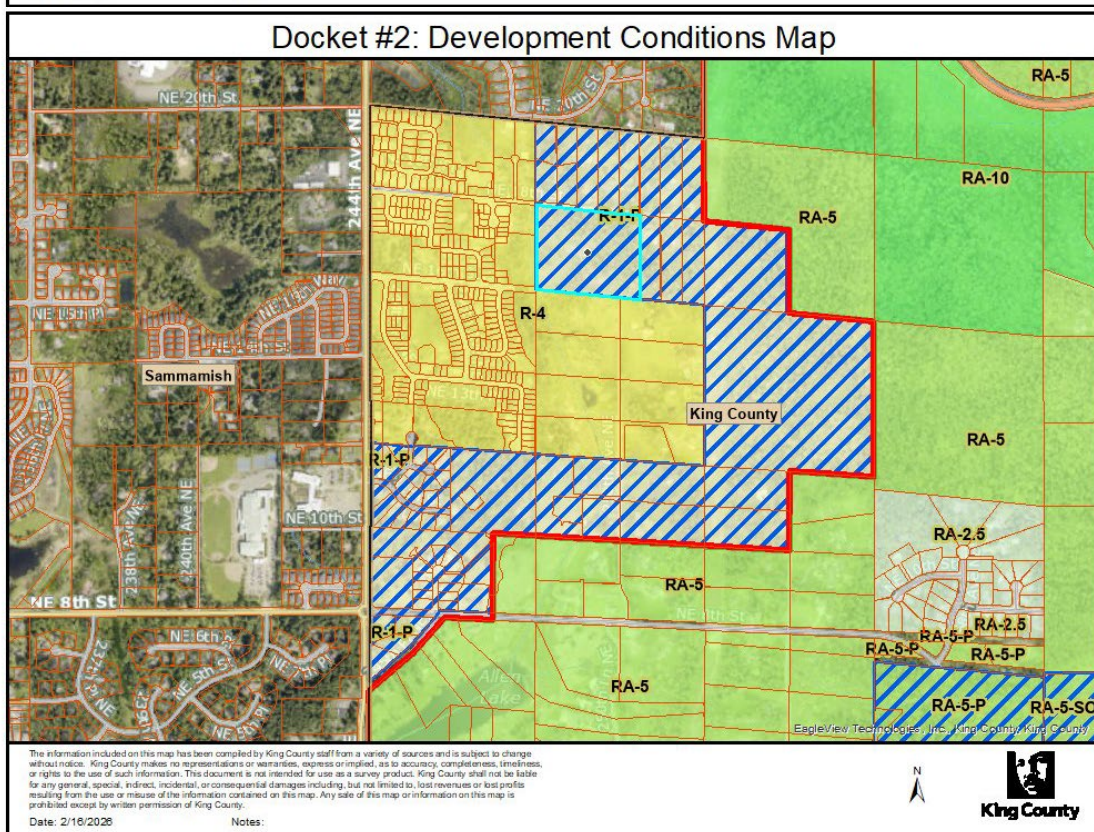
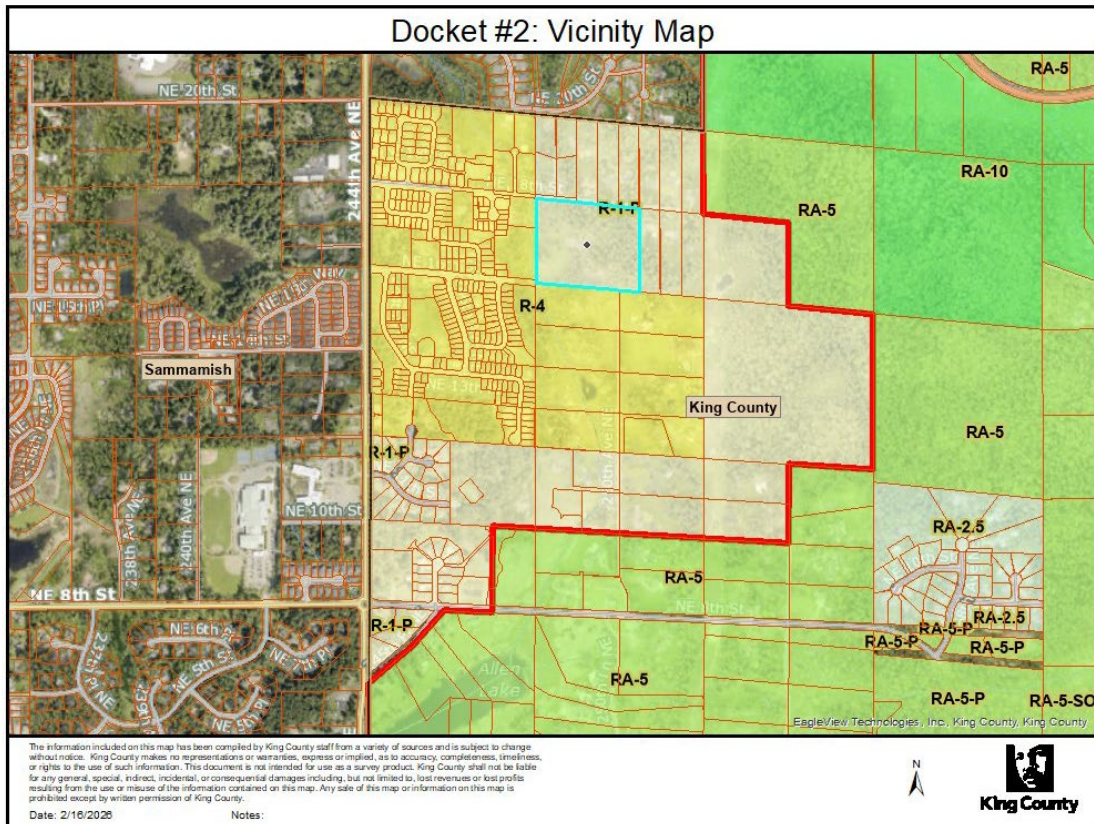
B. Brief description: Increase density of zoning on parcel (#2625069041) in an unincorporated urban area near Sammamish from R-1-P (Urban Residential, one unit per acre, with Property-Specific Development Condition ES-P20 Wildlife Corridor/Urban Separator) to R-4 (Urban Residential four units per acre). This change will require a commensurate land use designation change from Urban Low to Urban Medium.

C. Type: Map amendments.

D. Classification: Docket item is eligible for an annual plan update, midpoint update, or 10-year update as it does not appear to require substantive changes to policy.

E. Location: County Council District: 3. Community Service Area: West King County Areas.

F. Analysis: The subject parcel (outlined in light blue in the following maps) is in an urban unincorporated potential annexation area near the City of Sammamish. This parcel, and about 70 parcels around it, have a property specific development condition, ES-P20: Wildlife Corridor/Urban Separator^{vii} (shown in dark blue hatching on the second map).



ES-P20 protects permanent open space for wildlife corridors and urban separators through lot clustering on parcels of land located within the East Sammamish Community Planning Area. Established in 1997 and amended in 2004, the condition generally requires the following:

- At least 50 percent of the site is to be placed in tracts or open space, with exceptions.
- Requires a management plan for the open space tract.
- Tracts are to be located to maximize wildlife corridor/urban separator continuity.
- Additional setbacks are required around designated streams or wetlands.
- Open space can be used to meet other development requirements.

While this docket request is specific to one parcel in the area, it has potential impacts on other parcels in terms of (1) protecting the resource (wildlife corridors and urban separators) and (2) setting a precedent. Further, as the area is affiliated with the City of Sammamish for potential annexation, consideration of these changes would benefit from consultation with the City and the public.

G. Executive recommendation: The Executive recommends consideration of this docket item through an Area Land Use and Zoning Study in the 2029 midpoint update. Issues bearing consideration in the Study include:

- The efficacy of the development condition given recently updated critical area regulations.
- The relationship of this development condition to the Urban Separators geography, given that the boundaries are not the same as the Urban Separators included in the Countywide Planning Policies (CPPs).^{viii}
- This Study may consider the Urban Separator geography in the CPPs, given the review that was conducted by Growth Management Planning Council (GMPC) staff and the Interjurisdictional Team in 2024, and may propose changes, if appropriate, to the CPPs for GMPC and County consideration.
- Coordination with the City of Sammamish and the public regarding annexation of this potential annexation area (PAA).
- Consideration of critical areas, such as the wetlands that exist on parcels directly adjacent on both sides of property, to assess potential environmental impacts if rezoned to higher densities.
- Consideration of the Urban Residential (R-1) zoning, based on the aforementioned issues.

Adding this to the 2029 midpoint update scope of work allows it to be considered in a midpoint update which is limited to items adopted in the Scoping Motion. The time-sensitive nature of this is based on the study conducted by the GMPC's interjurisdictional team, which identified the need to reconsider the Urban Separator geography in the CPPs, and therefore in local plans.

Docket Request #3: Battery Energy Storage Systems

A. Proponent: Sixteen proponents affiliated with but not representing Unincorporated Area Councils (see Appendix B for more information).

B. Brief description: Amend County Battery Energy Storage Systems (BESS) policy and code to address several environmental, health, and safety topics.

C. Type: Code amendments.

D. Classification: Amendments to the KCC can happen at the discretion of the County and are not limited to plan update timelines and restrictions. If collateral changes are determined to be needed in the Comprehensive Plan, they would be eligible for a midpoint or 10-year update.

E. Location: County Council Districts: All districts with Unincorporated Areas: 2, 3, 5, 6, 7, 8, 9. Community Service Areas: All.

F. Analysis: BESS are defined in the Zoning Code (KCC Title 21A) and are included in the “Use” tables. Conditions are provided for the different zoning classifications that seek to mitigate potential impacts. The BESS regulations adopted through [Ordinance 19824](#)^{ix} in late 2024 have seen limited application, and the County has not yet permitted any large-scale BESS.

Ordinance 19824 updated requirements for the review, siting, and operation of BESS in unincorporated King County. These rules build on State building and fire code requirements that went into effect in 2024, and define the zones where BESS are allowed as regional land uses and accessory uses. All BESS in unincorporated King County are required to meet the County and State requirements, which cover safety requirements such as:

- Size, location, and separation requirements from other units, buildings, and vegetation,
- For BESS accessory to other uses, restrictions for the power to be used on-site, in the adjacent right-of-way, or to participate in load sharing or grid-connected electricity sharing,
- Hazard mitigation for thermal runaway, and mechanical, fire protection, or ventilation failures,
- Testing of the system before operation begins,
- An operating plan to ensure the BESS and protective systems (such as fire suppression) meet the requirements over time,
- Fire protection in conformance with international fire code, including smoke detectors, sprinkler systems, ventilation, thermal runaway, explosion control,
- Coordination with the local fire department to ensure proper training, and
- Financial guarantees for BESS failures and decommissioning, both with the initial permit and renewed every five years.

The 2026/2027 King County Biennial Budget^x includes an Expenditure Restriction requiring the Executive to transmit a BESS Siting Analysis Report, and a motion acknowledging receipt of the report. The report is to include, but not be limited to, the following:

- A BESS siting analysis done in collaboration with utilities and King County cities,
- Consistency with GHG Action 41 in the adopted 2025 Strategic Climate Action Plan,^{xi}
- Identification of areas most suitable for BESS facility siting, focusing on proximity to electrical substations, equity impacts, resource lands considerations, fire and safety best practices, and minimal land-use conflicts, and
- Recommendations for updated countywide BESS targets.

The issues raised in the docket request will, in part, be informed by the BESS siting study.

G. Executive recommendation: The Executive does not recommend a stand-alone KCC amendment nor consideration in the 2029 midpoint update. Amendments to the KCC are not limited to plan update timelines and restrictions, and they can happen at the discretion of the County. If changes are determined to be needed in the Comprehensive Plan, they are eligible for a

midpoint or 10-year update. Thus, the docket request does not appear to be time-sensitive and needing to be addressed before the next 10-year update, which is a requirement for inclusion in a midpoint update.^{xii}

BESS are important parts of transitioning to a cleaner energy system. The regulations adopted in 2024, plus updates to state building and fire codes, provide several safety and financial protections and, although different from those requested in the docket request, time should be provided to assess their effect and impacts.

The 2026-27 Biennial Budget includes an Expenditure Restriction (§19, ER 1) and Proviso (§19, P4) that requires a BESS siting analysis. This siting analysis, and the processing of any applications, should be used to inform the disposition of this docket request.

If development and impacts are notable in the coming years, the County could consider changes in the next 10-year update.

Docket Request #4: Local Agricultural & Forest Product Processing

A. Proponent: Joint Rural Team

B. Brief description: Amend Agriculture and Forestry Product Processing in the Rural Area policy and code to require that the materials be grown in King County. Technical and definitional changes are proposed in related policies and code.

C. Type: Policy and Code amendments.

D. Classification: Docket item is not eligible for an annual update as it would require substantive changes to Comprehensive Plan policies but is eligible for a midpoint or 10-year update.

E. Location: County Council Districts: All districts with Rural Area land use classifications – 3, 8, 9. Community Service Areas: Bear Creek/ Sammamish, Snoqualmie Valley/NE King County, Greater Maple Valley/Cedar River, SE King County, Vashon-Maury Island.

F. Analysis: Processing natural resource materials is an important component of supporting and protecting Natural Resource Lands. Some policies that address this are summarized as follows:

- R-337 states that processing these products should be allowed in the Rural Area.
- R-756 commits the County to protect Agricultural Production Districts for a variety of reasons, and to promote agricultural processing businesses.
- R-771 states that agricultural processing, and other activities, are agricultural activities, and should be allowed at an appropriate size and scale.
- R-772 states the County's support for processing and packing of farm products from crops and livestock.
- R-774 states the County should develop incentives to support local food processing, for a variety of reasons.
- R-786 states the County should strengthen and promote and support a sustainable and climate-resilient local food system, by promoting and supporting local food processing.
- ED-604 states the County shall encourage a variety of local food economy activities, including processing, aggregation, and packing.

While some of these policies and the supporting text discuss support for local food, they do not support processing exclusively of King County grown products. This is consistent with the County's local food initiative.^{xiii}

G. Executive recommendation: The Executive does not support limiting natural resource processing facilities to only locally grown products. Rationale includes the following:

- Maintaining natural resource lands and industries is a priority in the Growth Management Act and the King County Comprehensive Plan.
- Processing natural resource materials is a necessary function to support these industries and has long been determined to be an appropriate allowed use in the Rural Area.
- Natural resource processing facilities are already limited in King County – some have moved out of the County, some have not been able to site in the County, some have received financial support from the County to be operable, and some that are currently operating receive products that are grown outside of the County.
- Given this, limiting the processing facilities to only King County grown products would create a new constraint that could jeopardize these businesses in King County and thereby harm the larger natural resource business sector.

Docket Request #5: Mining Reclamation & Periodic Review

A. Proponent: Joint Rural Team

B. Brief description: Amend five-year periodic review policy and code to include the reclamation phase of a prior mining operation that is not subject to state reclamation authority and new mine reclamations where that authority has been granted to the County.

C. Type: Policy and Code amendments.

D. Classification: Docket item is not eligible for an annual update as it would require substantive changes to Comprehensive Plan policies but is eligible for a midpoint or 10-year update.

E. Location: County Council Districts: All districts with Forest and Mineral zoning, and legal nonconforming sites in the Rural area – 3, 8, 9,
Community Service Areas: All districts and CSAs with Forest and Mineral zoning, and legal nonconforming sites in the Rural Area.

F. Analysis: The Washington State Department of Natural Resources (DNR or the State) has exclusive authority to regulate surface mine reclamation, unless the State delegates authority to King County.^{xiv} The State has done so for the Reserve Silica mine. Two other sites exist with County reclamation permits: Ravensdale Trenches and Jones Road Reclamation; the County has authority because the sites predated State reclamation regulations.

- Local governments have authority to regulate mining 'operations,' although reclamation is *not* part of the state definition of operations.^{xv}
- Comprehensive Plan policies and KCC recognize this State authority and support collaboration between the County, State, operator, and others on managing mining operations, including work related to reclamation. Relevant policies include the following:

- R-800 states that where mineral extraction and mining are subject to state or federal regulations, King County should work with these entities to ensure requirements and impacts are reviewed.
- R-801 states that King County should work with the Washington State Department of Natural Resources to ensure areas are reclaimed in a timely and appropriate manner.
- S-748 states that King County Shoreline provisions and requirements should be consistent with state surface mining requirements.
- Within its authority, the County's Annual Inspection program looks at all phases of the mining operation, including reclamation, and assesses the operations for compliance with the permit. When there are compliance issues, King County can and has directed operators to take corrective actions or undertake additional studies.
- In addition to Annual Inspections, the County conducts a Five-Year periodic review.^{xvi} The Five-Year review considers the same operations as the Annual Inspections. The Five-Year review must determine whether the site is operating consistently with all existing permit conditions and, if not, establish corrective actions; and 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.
- Periodic review is a Type 2 land use decision, which is subject to administrative appeal. Clearing and grading is a Type 1 land use decision, which is administrative and an appeal is only available to Superior Court.^{xvii} In some circumstances, mining permits have expired prior to the periodic review and a new permit has been approved.
- Applying the periodic review to the reclamation phase has several challenges. Most mines are not subject to King County authority as this has not been granted by the State, which would limit the impact. Older mines without reclamation plans would become legally nonconforming, which could create challenges for the operation of the mine, thereby potentially preventing the operator from reaching the reclamation phase.

G. Executive recommendation: With reclamation duties vested to the State, along with the inherent authorities of the State to compel operators to comply with permit requirements, the Executive believes the State remains the appropriate lead for mine reclamation.

Given this, the Executive does not support including the reclamation work in the periodic review process. Instead, the Executive recommends continued coordination between the County, the State, the operator, and other relevant parties, on all phases of the mining permit and supports continued involvement and information sharing as part of the Annual Inspections program.

Docket Request #6: Urban Growth Area Contraction/Lake 12

A. Proponent: Tim O'Brien

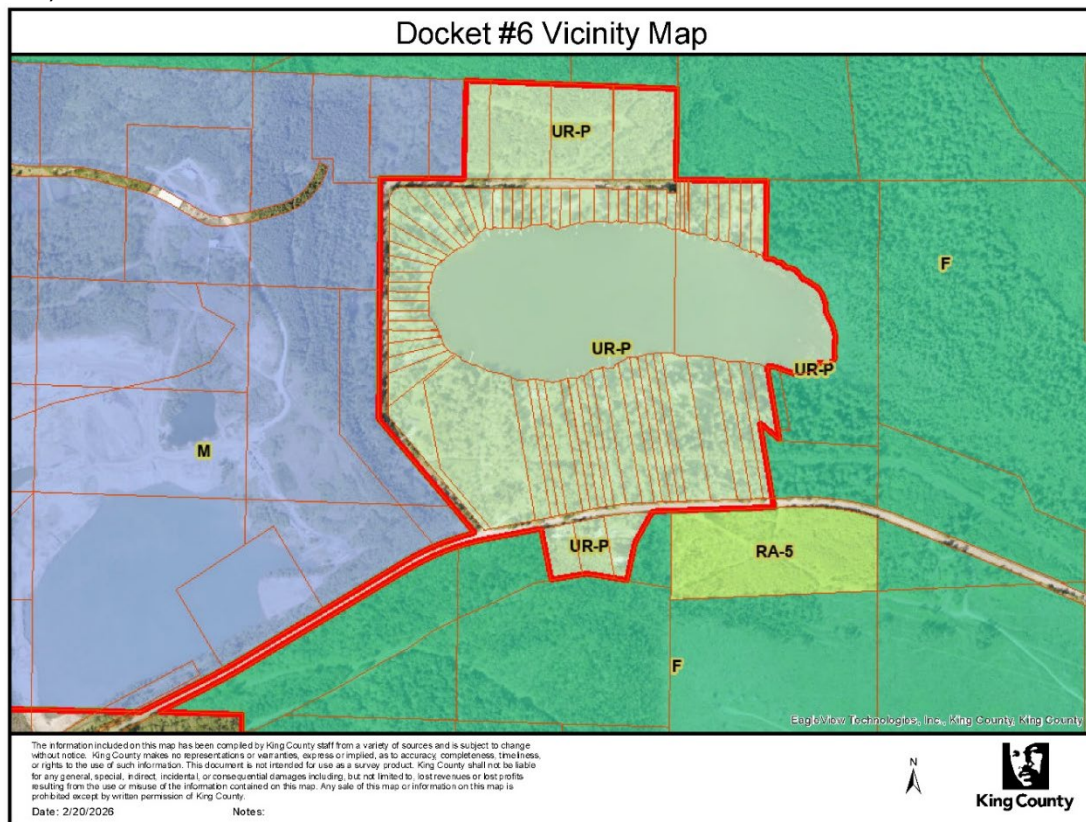
B. Brief description: Reclassify zoning on all parcels surrounding Lake 12 from UR-P (Urban Reserve, one unit per five acres, with Property-Specific Development Condition TR-P43 Black Diamond) to a Rural Area zone and Forest zone, and redesignate land use on the parcels from RX (Rural City Urban Growth Area or UGA) to Rural Area and Forestry. *(Note: This change would require an amendment to the UGA boundary.)*

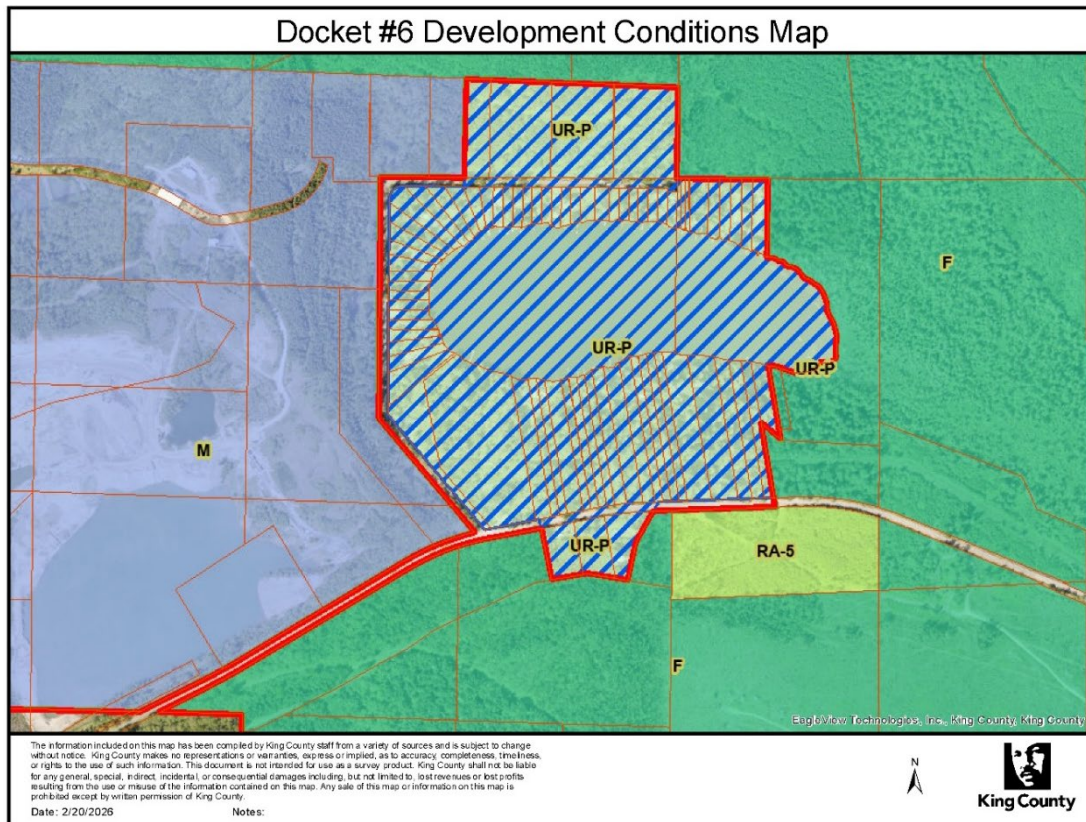
C. Type: Map amendment.

D. Classification: Docket request is not eligible for an annual plan update as it would require substantive changes to the UGA, but it is eligible for a midpoint or 10-year update.

E. Location: County Council District: 9. Community Service Area: SE King County Area.

F. Analysis: The request affects 77 parcels (in the maps below, they are the unincorporated parcels surrounded by the red UGA boundary) and the lake in the Lake 12 Potential Annexation Area affiliated with the City of Black Diamond. These parcels are subject to property-specific development condition TR-P43^{xviii} (shown in blue hatching on second map), which restricts development to be consistent with the terms of the Black Diamond Urban Growth Area Agreement (BDUGAA).^{xix}





The Lake 12 parcels were added to the UGA in 1995, as a part of the finalization of Black Diamond’s affiliated UGA.^{xx} Ordinance 12065 notes that options in providing City water and sewer service to Lake 12 were to be addressed and resolved by King County, the City of Black Diamond, and property owners. This is consistent with King County CPPs PF-1 and PF-4, and KCC 13.24.035, which states that all development within the urban growth area shall be served by public sewer service.^{xxi}

These parcels are currently zoned UR-P, Urban Reserve (one unit per five acres). 54 of the 77 parcels surrounding the lake are already developed; 48 parcels have a single detached dwelling unit and six parcels have mobile homes. Of the remaining 23 parcels, the three largest are under current use taxation, and all others have an area too small to be further subdivided.

This request is a site-specific land use map amendment. Site-specific land use map amendments may be initiated by property owner application, council motion, or executive proposal. As the requestor is not a property owner within the affected area this amendment would need to be proposed and studied by the Executive. Further, as the area is affiliated with the City of Black Diamond for potential annexation, consideration of these changes would benefit from consultation with the City, the property owners, and the public.

G. Executive recommendation: The Executive does not recommend consideration in the 2029 midpoint update. This area has been part of the UGA since the mid-1990s. Providing urban services to the Lake 12 neighborhood’s existing development would improve water quality and safety, and was a factor in including this area within the UGA. The docket request does not identify new information that would warrant making this change now, meaning the request does not appear to

be time-sensitive, which is a requirement for inclusion in a midpoint update. If changes occur in the coming years, the County could potentially consider amendments in the next 10-year update.

Next Steps

For docket requests recommended for inclusion in future plan or Code updates, the proposals will be further evaluated at the time of the recommended update. For docket requests not recommended for inclusion in a future plan or Code update, proponents have the option to petition the County Council to consider the request.

KCC 20.18.140 requires that, during the next available Comprehensive Plan update, the County Council include all proponents of docketed requests in the mailing list for agendas to all committee meetings in which the Comprehensive Plan will be reviewed. Additionally, KCC 20.18.160 requires that such committee agendas include the full committee review schedule with dates for committee meetings and any other opportunities for public testimony. This allows proponents to track the County Council's review, amendment, and adoption process and to know when there are opportunities for public input.

ⁱ King County has criteria and limitations related to the different types of Plan updates: annual plan updates, midpoint updates (next is the 2029 update), 10-year updates (next is the 2034 update), as well as other updates if there are emergent issues. See KCC 20.18 Procedures for Amendment of Comprehensive Plan or of Development Regulations [\[LINK\]](#). See related policies in Comprehensive Plan, see chapter 12. [\[LINK\]](#)

ⁱⁱ RCW 36.70A. [\[LINK\]](#)

ⁱⁱⁱ KCC 20.18.140. [\[LINK\]](#)

^{iv} See the “redline” version of the 2024 for referenced changes to policy. [\[LINK\]](#)

^v Ordinance 19881. [\[LINK\]](#)

^{vi} Ibid. *Emphasis added*. “D.1. At the midpoint of the 10-year update process, *a limited update* to the Comprehensive Plan to address time-sensitive issues before to the next 10-year update, *may be authorized* by motion...”

^{vii} ES-P20: Wildlife Corridor/Urban Separator. [\[LINK\]](#)

^{viii} Countywide Planning Policies. [\[LINK\]](#)

^{ix} Ordinance 19824. [\[LINK\]](#)

^x Ordinance 200232, 2026-2027 King County Budget. [\[LINK\]](#)

^{xi} Motion 16898 [\[LINK\]](#) 2025 Strategic Climate Action Plan, Part 2, Action 41 (page 131). [\[LINK\]](#)

^{xii} KCC 20.18.030D.1. [\[LINK\]](#)

^{xiii} King County Local Food Initiative. [\[LINK\]](#)

^{xiv} RCW 78.44.050: Surface Mining. [\[LINK\]](#)

^{xv} Ibid, 78.44.031(8): Surface Mining. [\[LINK\]](#)

^{xvi} KCC 21A.22.050. [\[LINK\]](#)

^{xvii} KCC 20.20.020. [\[LINK\]](#)

^{xviii} TR-P43: Black Diamond. [\[LINK\]](#)

^{xix} Ordinance 12534. [\[LINK\]](#)

^{xx} Ordinance 12065. [\[LINK\]](#)

^{xxi} CPPs [\[LINK\]](#); KCC. [\[LINK\]](#)

Appendices

- Appendix A – Docket Report Requirements
- Appendix B – Submittals
- Appendix C – Executive Responses to Docket Requests

Appendix A – Docket Report Requirements

The Washington State Growth Management Act (GMA)¹ and King County Code (KCC)² require that the County use a docket process for interested parties to suggest changes to the King County Comprehensive Plan, land use designations and/or zoning classifications. Docket requests may include suggested changes to:

- Policies, narrative text, and/or maps in the Comprehensive Plan,
- Land use designations and/or zoning classifications of parcels of land, and/or
- Development regulations in the KCC.

The County responds to each item registered on the docket, providing a feedback loop, as required by Revised Code of Washington (RCW) 36.70A.470.

To meet the notification requirements in the KCC, the County provided a website where members of the public could docket written comments on the plan or on development regulations and through this process docket requests were submitted.

Relationship to Comprehensive Plan: The docket is the means for the public to suggest a change to, or identify a deficiency in, the Comprehensive Plan or development regulations. Deficiency refers to the absence of required or potentially desirable contents of a comprehensive plan or development regulation. The KCC³ defines the receipt, review of, and response to docket requests.

Classification: Generally, the Comprehensive Plan can only be amended once per year and is updated on an established planning cycle.⁴ Implementing changes to land use designations, zoning classifications, and development regulations are also adopted at the same time.⁵

- Updates are required once every 10 years to comprehensively review and make substantive changes to the plan as required by the GMA.⁶ This is known as the "10-year update."
- Updates are allowed, but not required, at the midpoint (year five) of the ten-year planning cycle to address time-sensitive issues before the next ten-year update.⁷ Amendments are only allowed if the change is expressly included in a scope of work approved by the County Council or as otherwise allowed during an annual update (noted below). This is known as the "midpoint update."
- Updates are allowed, but not required, annually for changes that do not require substantive changes to Comprehensive Plan policies or the Urban Growth Area (UGA) boundary, except as otherwise allowed in Comprehensive Plan Policy I-104.⁸ This is known as the "annual update."

¹ RCW 36.70A [\[LINK\]](#)

² KCC. [\[LINK\]](#)

³ KCC 20.18.140 [\[LINK\]](#)

⁴ The Comprehensive Plan can be amended more than once per year in only limited instances allowed by RCW 36.70A.130, Comprehensive Plan Policy I-103, and KCC 20.18.030.A.

⁵ Comprehensive Plan Policies I-109 and I-302

⁶ RCW 36.70A.130, See Policy I-105 and KCC 20.18.030.C

⁷ Only if authorized by motion, See Policy I-106 and KCC 20.18.030.D

⁸ See Policy I-104 and KCC 20.18.030.B

Land use designations are adopted in the Comprehensive Plan and establish the general types of planned, long-term uses intended for each parcel of land. Zoning classifications are adopted for individual parcels in the King County Zoning Atlas with associated zoning regulations in the KCC. Zoning classifications implement land use designations by specifying the allowed uses and development requirements for each zone. Zoning classifications must be consistent with the Comprehensive Plan. The following table excerpted from Chapter 12 of the Comprehensive Plan shows which zoning classifications are allowed within each land use designation.⁹

Comprehensive Plan Land Use Designations	Zoning Classifications*
▪ Unincorporated Activity Center (ac)	▪ R-12, R-18, R-24, R-48, NB, CB, O, I
▪ Community Business Center (cb)	▪ NB, CB, O
▪ Neighborhood Business Center (nb)	▪ NB, O
▪ Commercial Outside of Centers (co)	▪ NB, CB, RB, O, - this is the range of existing zoning in place when the Comprehensive Plan was adopted
▪ Urban Residential, High (uh)	▪ R-18, R-24, R-48
▪ Urban Residential, Medium (um)	▪ R-4, R-6, R-8, R-12
▪ Urban Residential, Low (ul)	▪ R-1
▪ Urban Growth Area for Cities in Rural	▪ UR
▪ Area (rx)	
▪ Rural Town (rt)	▪ R-1, R-4, R-6, R-8, R-12, R-18, R-24, R-48, NB, CB, O, I
▪ Rural Neighborhood Commercial Center (rn)	▪ NB
▪ Rural Area (ra)	▪ RA-2.5, RA-5, RA-10, RA-20
▪ Industrial (i)	▪ I
▪ Forestry (f)	▪ F, M
▪ Agriculture (ag)	▪ A-10, A-35
▪ Mining (m)	▪ M
▪ Greenbelt/Urban Separator (gb)	▪ R-1
▪ King County Open Space System (os)	▪ All zones
▪ Other Parks/Wilderness (op)	▪ All zones

* This is the range of zoning that may be allowed within each comprehensive plan land use designation subject to Comprehensive Plan and subarea plan policies. Actual zoning on a specific property is determined through the area zoning process or through site-specific rezone application.

⁹ Chapter 12, Page 6

Abbreviation	Zoning Classifications
▪ A	▪ Agricultural
▪ F	▪ Forest
▪ M	▪ Mineral
▪ RA	▪ Rural Area
▪ UR	▪ Urban Reserve
▪ R	▪ Urban Residential
▪ NB	▪ Neighborhood Business
▪ CB	▪ Community Business
▪ RB	▪ Regional Business
▪ O	▪ Office
▪ I	▪ Industrial

Land use designation and/or zoning classification changes may be considered during a 10-year, midpoint, or annual Comprehensive Plan update, depending on the nature of the change.¹⁰

Development regulations are local controls placed on development or land use activities such as zoning and other regulations for construction, critical areas, shoreline areas, subdivisions, roadways, surface water management, etc. These are reflected in various portions of the KCC such as some of the regulations located in Title 9: Surface Water Management, Title 13: Water and Sewer Systems, Title 14: Roads and Bridges, Title 16: Building and Construction Standards, Title 17: Fire Code, Title 20: Planning, or Title 21A: Zoning. Development regulations must be consistent with the Comprehensive Plan. Development regulations can be amended at any time including, but not limited to, as part of a Comprehensive Plan update. Changes to the Comprehensive Plan, land use designations, zoning classifications, and development regulations must be consistent with the GMA, multicounty planning policies,¹¹ and CPPs.¹²

Who Can Submit: Anyone can submit a docket request; however, the property owner (or their agent) needs to submit if a land use change is requested. Property owners submitting a rezone request that does not require a land use designation change will be directed to the Zone Reclassification process.

Schedule: The docket is open continuously. In April each year, the items submitted in the previous calendar year are reviewed, responded to by Executive staff, and compiled into a docket report that is transmitted to the County Council and published for public review.

Fees: There is no fee for submitting a docket request.

¹⁰ See requirements in Policies I-104, I-105, and I-106 and KCC 20.18.030. Zoning reclassifications can also happen through the development permit process if no associated land use designation change is needed.

¹¹ RCW 36.70A.210 (7), See Puget Sound Regional Council, VISION 2050 multicounty planning policies [[LINK](#)]

¹² RCW 36.70A.210, See Growth Management Planning Council [[LINK](#)], King County Countywide Planning Policies (CPPs) [[LINK](#)]

Review Process: There are several steps in the review process:

- Requests are reviewed and analyzed by Executive staff. Outreach may occur, as appropriate.
- After the review is complete, a Docket Report is developed and transmitted to the County Council.
- Executive staff send a response to the submitter when the report is transmitted to the County Council.
- After receipt of the Docket Report, and during the next available Comprehensive Plan update, the County Council shall include all proponents of docketed requests in the mailing list for agendas to all committee meetings in which the Comprehensive Plan will be reviewed.
- Docket proponents may petition the County Council to consider docket changes that were not recommended by the Executive.

Statement of Compliance with Notification Requirements in KCC 20.18.140: To meet the notification requirements in the KCC, the County provided a website by which members of the public could docket written comments on the plan or on development regulations and through this process docket requests were submitted.

Upon receipt of the docket requests, Executive staff analyzed them and developed recommended responses. As required, each proposal was evaluated for classification depending on the nature of the change, and a recommendation was developed regarding whether to recommend the proposal inclusion for further evaluation in the next appropriate Comprehensive Plan update or standalone development regulation update. Executive staff notified proponents of the recommendation and identified the next steps in the process after the Docket Report was transmitted to the County Council.

Via this report, the Department of Local Services is forwarding all docketed amendments and comments with a classification and Executive recommendation along with a rationale, and this statement indicating that the department has complied with the notification requirements in this section. Attached to this report in Appendix B are the docket requests and supporting materials submitted by the proponents. Attached in Appendix C is the Executive response issued to the proponents. The Docket Report was made available on the department's website at the time of transmittal.

Docket Recommendations: Docket responses are initial determinations of whether a given proposal should be evaluated further during development of a future plan or code update for possible inclusion as part of the Executive's transmitted proposed update to the County Council. If recommended for further evaluation, more in-depth analysis of the proposals will occur during the applicable update process. The analysis will include but not be limited to: consistency with other policies and regulations; a review of any public input; for land use designation and/or zoning classification changes, evaluation as part of either a subarea plan or an Area Zoning and Land Use Study (AZLUS or Area Study), as appropriate; equity impact review; State Environmental Policy Act

(SEPA) review; and alignment with Executive policy goals.^{13, 14, 15, 16} Depending on the results of that analysis, the proposal may be (1) included as part of the Executive's transmitted plan or code update and reviewed for possible adoption by the County Council or (2) not recommended for approval.

Staying Engaged After Submitting a Docket: Everyone submitting a docket request is added to the Comprehensive Plan email list. This allows submitters to stay informed of milestones in the review process. Once the Docket Report is transmitted to the County Council, submitters are also added to the mailing list for County Council agendas and are notified of opportunities for public testimony. Docket proponents may petition the County Council to consider docket changes that were not recommended by the Executive.

¹³ Public input will be solicited consistent with the requirements in KCC 20.18.160.

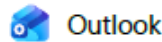
¹⁴ Per KCC 20.08.037, an AZLUS reviews the land use designations and/or zoning classifications for a specified set of properties. They are typically focused on a specific set of possible zoning and land use changes, and do not look at the larger range of issues that a subarea plan would include. They analyze such requests based on surrounding land use and zoning, current infrastructure and potential future needs, and consistency with the GMA, CPPs, and Comprehensive Plan.

¹⁵ Per KCC 20.08.030, a subarea plan is a detailed local land use plan that implements, is consistent with, and is an element of the Comprehensive Plan. It contains specific policies adopted by the Council to guide development, service delivery, and capital improvement decisions within specific subareas of the County.

¹⁶ SEPA review as required by Chapter 43.21C RCW and KCC Chapter 20.44.

King County – Comprehensive Plan 2026 Docket Request #1

Docket #1: Rural Neighborhood Commercial Centers



Docket Item Request--RNCCs

From Peter Rimbo <primbos@comcast.net>
Date Fri 2/14/2025 10:44 AM
To Jensen, Chris (they/them) <Chris.Jensen@kingcounty.gov>
Cc Compplan <compplan@kingcounty.gov>

1 attachment (327 KB)
KCCP Docket Request--RNCCs--2-14-25.pdf;

[EXTERNAL Email Notice!] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Chris,

Good morning. Attached please find the Joint Rural Team's (JRT's) first **Docket Item Request** for this year--*Rural Neighborhood Commercial Centers (RNCCs)*.

Please note, as we state in the attached, we cannot check specific KCCP language to ensure it is the same as the final version adopted by the King County Council on 12/10/24, because that version has yet to be officially released and posted.

Please acknowledge receipt. Thank you.

P.S.: All JRT Organizations and Focal Points are bcc'ed.

Peter Rimbo
Coordinator, Joint Rural Team--KCCP, CPPs, and VISION 2050
Greater Maple Valley Unincorporated Area Council (GMVUAC)
primbos@comcast.net

"To know and not to do is not to know."-- Chinese proverb

Please consider our shared environment before printing.



Docket Form

King County Comprehensive Plan

Date	2/14/2025		
I. Applicant Information			
Name (if multiple, list all)	Joint Rural Team		
Property Address	N/A		
Phone	425-432-1332	Email	primbos@comcast.net
Council District	3 and 9		

II. Type of Request			
Comp. Plan Policy or Text Amendment	Yes	Land Use Designation Amendment	
Development Regulation Amendment		Zoning Classification Amendment	
Four to One Proposal		Other	
Has this been submitted previously?	No	If yes, please indicate the year	
If yes, what was the outcome?			

III. Amendments to Comprehensive Plan Policy or Text, or Development Regulations	
Requested Change?	(see p. 3.)
If addressed already in the plan or code, what change is needed?	(see pp. 4 - 6.)
Why is this amendment needed?	(see pp. 7 - 9.)
What are the expected or desired outcomes of this change?	(see p. 10.)
What are the potential positive or negative impacts of this change?	(see p. 10.)
How is this amendment consistent with the Growth Management Act?	(see p. 10.)
Conclusion and Recommendation	(see p. 11.)

IV. Amendments to Property Specific Land Use and Zoning			
General Location			
Total Acres			
Tax Parcel ID (if multiple, list all)			
Current Land Use Designation	Click here	Requested Land Use Designation Amendment	Click here
Current Zoning Classification	Click here	Requested Zoning Classification	Click here
Is there a Special District Overlay or Property Development Condition?			
Requested Change and Rationale			
Proposed Use of Parcel			
How will change affect adjoining parcels?			
How is change compatible with the surrounding area?			
Additional information?			

For property owner representatives:			
Name		Email	
Phone		Click to testify you have authorization to submit a docket for this property owner.	

How to Submit a Docket Form:

- Save the Form to your computer, fill it out, and then email it to: compplan@kingcounty.gov.
- Due to the covid pandemic, paper copies are not being accepted.

Background on King County Docket Process

The Docket process responds to the requirements of the Growth Management Act at 36.70A.470 and is codified at the King County Code Title 20.18.107 and .140. Docketing means compiling and maintain a list of suggested changes to the comprehensive plan or development regulations in a manner that ensures suggested changes are considered by the county and are available for review by the public. June 30 is the annual docket deadline. There is no fee for submitting the docket form. To download this form electronically or learn more about the Docket Process, visit: <http://www.kingcounty.gov/compplan/>

KCCP Docket Item Request

Requesting Organizations

The King County Joint Rural Team (JRT), which consists of the following organizations:

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

Requested Change

The 2024 King County Comprehensive Plan includes the Policies and Code language related to Rural Neighborhood Commercial Centers (RNCCs) in the Rural Area that allows dense *“workforce housing.”* This language is flawed in that it is inconsistent with Rural Area policies elsewhere in the *King County Comprehensive Plan (KCCP)*. It is one of many unintended and irreversible consequences of using a broad brush approach that impinges on integrity of the Rural Area.

Further, nowhere in the KCCP is the term *“workforce housing”* defined. Please see details provided under: **Why is this amendment needed ?** further below.

The original *intent* of RNCCs is to provide small business services to the local surrounding neighborhoods, not dense housing directly adjacent to RA-5, RA-10, and/or RA-20 zoned parcels.

To be consistent with the State's *Growth Management Act (GMA)*, PSRC's *VISION 2050*, King County's *Countywide Planning Policies (CPPs)*, and other portions of the *KCCP* there should be no dense housing located or allowed in the Rural Area.

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 *GMA*, 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.”*

If addressed already in the plan or code, what change is needed?

This already is addressed in the following KCCP Policy and Code, with our highlighting, respectively: *[We cannot check specific KCCP language to ensure it is the same as the final version adopted by the King County Council on 12/10/24, because that version has yet to be officially released and posted.]*

R-303 Residential development in the Rural Area should only occur:

- a. In Rural Towns at a variety of densities and housing types as services and infrastructure allow, compatible with protection of historic resources and community character;
- b. In rural neighborhood commercial centers at low or middle densities that support housing co-located with commercial development, **to provide workforce housing**, compatible with rural character and service levels; and
- c. Outside Rural Towns and rural neighborhood commercial centers at low densities compatible with traditional rural character and uses; farming, forestry, and mining; and rural service levels.

R-401 The uses allowed on lands with the Rural Neighborhood Commercial Center land use designation shall be limited to:

- a. Small-scale businesses that provide convenience shopping and services for surrounding Rural Area and Natural Resource Land residents, such as retail, community and human services, and personal services; and
- b. **Workforce housing**, when part of a mixed-use development that is appropriately sized and scaled to be compatible with rural character.

21A.04.090 Neighborhood business zone.

- A. The purpose of the neighborhood business zone (NB) is to provide convenient daily retail and personal services for a limited service area and to minimize impacts of commercial activities on nearby properties and to provide for limited residential development. These purposes are accomplished by:
 1. Limiting nonresidential uses to those retail or personal services that can serve the everyday needs of a surrounding urban or rural residential area;
 2. Allowing for mixed-use developments **to provide workforce housing**;
 3. Allowing for townhouse developments as a sole use on properties in the urban area with the land use designation of commercial outside of center; and
 4. Excluding industrial and community/regional business-scaled uses.
- B. Use of this zone is appropriate in urban neighborhood business centers, rural towns, or rural neighborhood centers designated by the comprehensive plan, on sites which are served at the time of development by adequate public sewers when located in urban areas or adequate on-site sewage disposal when located in rural areas, water supply, roads and other needed public facilities and services.

21A.12.040 Densities and dimensions - resource and commercial/industrial zones

In the section A. *Densities and dimensions - resource and commercial/industrial zones* table for "Base Density Dwelling Unit/Acre" it calls for 4 du/ac in the "NB" column.

However, we request this Policies **R-303** and **R-401** and King County Code **21A.04.090 Neighborhood business zone** be amended (see **highlighted** text) as follows:

R-303 Residential development in the Rural Area should only occur:

- a. In Rural Towns at a variety of densities and housing types as services and infrastructure allow, compatible with protection of historic resources and community character;
- b. ~~In rural neighborhood commercial centers at low or middle densities that support housing co-located with commercial development, to provide workforce housing, compatible with rural character and service levels; and~~
- c. Outside Rural Towns and rural neighborhood commercial centers at low densities compatible with traditional rural character and uses; farming, forestry, and mining; and rural service levels.

R-401 The uses allowed on lands with the Rural Neighborhood Commercial Center land use designation shall be limited to:

- a. Small-scale businesses that provide convenience shopping and services for surrounding Rural Area and Natural Resource Land residents, such as retail, community and human services, and personal services; and
- b. ~~Workforce housing, when part of a mixed-use development that is appropriately sized and scaled to be compatible with rural character.~~

21A.04.090 Neighborhood business zone.

- A. The purpose of the neighborhood business zone (NB) is to provide convenient daily retail and personal services for a limited service area and to minimize impacts of commercial activities on nearby properties and to provide for limited residential development. These purposes are accomplished by:
 - 1. Limiting nonresidential uses to those retail or personal services that can serve the everyday needs of a surrounding urban or rural residential area;
 - 2. Allowing for mixed-use developments ~~to provide workforce housing in urban areas and rural towns;~~
 - 3. Allowing for townhouse developments as a sole use on properties in the urban area with the land use designation of commercial outside of center; and
 - 4. Excluding industrial and community/regional business-scaled uses.
- B. Use of this zone is appropriate in urban neighborhood business centers, rural towns, or rural neighborhood centers designated by the comprehensive plan, on sites which are served at the time of development by adequate public sewers when located in urban areas or adequate on-site sewage disposal when located in rural areas, water supply, roads and other needed public facilities and services.

21A.12.040 Densities and dimensions - resource and commercial/industrial zones

In the section A. *Densities and dimensions - resource and commercial/industrial zones* table for "Base Density Dwelling Unit/Acre" change 4 du/ac to 1 du in the "NB" column.

In section B. *Development Conditions*:

Modify the following Development Condition:

- 2. These densities are allowed only ~~in the urban area and rural towns~~ through the application of mixed-use development standards and, in the NB zone on property in the urban area designated commercial outside of center, for stand-alone townhouse development.

Add the following new Development Condition:

22. Only when consistent with 21A.08.030.B.16.

This citation is given below for reference:

- 16. The development for a detached single-family residence shall be consistent with the following:**
- a. The lot must have legally existed before March 1, 2005;**
 - b. The lot has a Comprehensive Plan land use designation of Rural Neighborhood Commercial Center or Rural Area; and**
 - c. The standards of this title for the RA-5 zone shall apply.**

It should be noted that, in reference to **21A.08.030.B.16.c.** above, among other things, it requires application of the *RA-5 standards*, which includes a minimum lot area of *3.75 ac* in **21A.12.030.**

Why is this amendment needed ?

This amendment is needed to ensure full compliance with the State's *GMA*, PSRC's *VISION 2050*, the *Countywide Planning Policies (CPPs)*, and other portions of the *KCCP*.

VISION 2050 (adopted October 2020)

Maintaining Rural Area character is discussed in:

DEVELOPMENT PATTERNS

Rural Areas and Natural Resource Lands

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 (as amended in 2023)

Maintaining Rural Area character is discussed in:

ENVIRONMENT

Environmental Sustainability

EN-1 *"Incorporate environmental protection and restoration efforts including climate action, mitigation, and resilience 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."*

DEVELOPMENT PATTERNS

Rural Area and Natural Resource Lands

Rural Area

The Rural Area is characterized by low density development with a focus on activities that are dependent on the land such as small-scale farming and forestry.

DP-47 Limit growth in the Rural Area to prevent sprawl and the overburdening of rural services, minimize the need for new rural infrastructure, maintain rural character, and protect open spaces and the natural environment. To limit growth pressure in the Rural Area, locate services in Cities in the Rural Area and cities that border the rural area.

ECONOMY

Places

EC-18 Make local investments to maintain and expand infrastructure and services that support local and regional economic development strategies. Focus investment where it encourages growth in designated centers and helps achieve employment targets.

EC-19 Add to the vibrancy and sustainability of our communities and the health and well-being of all people through safe and convenient access to local services, neighborhood-oriented retail, purveyors of healthy food (e.g., grocery stores and farmers markets), and transportation choices.

KCCP (adopted December 2024)

Maintaining Rural Area character and economic clusters are discussed in:

Chapter 3. **RURAL AREAS AND NATURAL RESOURCE LANDS**, Part I. **Rural Area** (our emphases): **[Again, we cannot check specific KCCP language to ensure it is the same as the final version adopted by the King County Council on 12/10/24, because that version has yet to be officially released and posted.]**

“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.”

While “workforce housing” is mentioned in the zoning intent language consistent with the Policy, in the actual development conditions that allow for the urban densities in RNCCs, there are no criteria that such housing has to be at any set income levels, nor serve nearby rural/resource land workers. Worse yet, it simply allows the and density outright. So, neither the new policy language nor new code language actually does anything, as no where in the KCCP is the term “workforce housing” defined.

A definition of “workforce housing” must be included, so it does not become a potential loophole for any type of housing a developer wishes to add to RNCCs.

Below please find a compendium all five citations of “workforce housing” found throughout the King County Council’s **Striker** and accompanying **Comprehensive Plan**:

STRIKING AMENDMENT TO PROPOSED ORDINANCE 2023-0440, VERSION 22

p. 8, lines 157-159:

4. *Calling for rural affordable housing strategies to allow for **workforce housing**, aging in place, and provision of housing needed in the rural area, at an appropriate size and scale that protects rural character;*

[NOTE: The above implies that "*workforce housing*" is an "*affordable housing strategy*," but does not provide any definition.]

p. 208, lines 4497 - 4505:

SECTION 79. Ordinance 10870, Section 30, as amended, and K.C.C. 21A.04.090 are hereby amended to read as follows:

- A. The purpose of the neighborhood business zone (NB) is to provide convenient daily retail and personal services for a limited service area and to minimize impacts of commercial activities on nearby properties and ~~((in urban areas on properties with the land use designation of commercial outside of center,))~~ to provide for limited residential development. These purposes are accomplished by:
 1. Limiting nonresidential uses to those retail or personal services ~~((which))~~ that can serve the everyday needs of a surrounding urban or rural residential area;
 2. Allowing for ~~((mixed use (housing and retail/service)))~~ mixed-use developments to provide **workforce housing** ~~((and))~~;

COMPREHENSIVE PLAN

Chapter 3, p. 3-14, Lines 685 - 688

R-~~((302))~~303

- b. In rural neighborhood commercial centers at low or middle densities that support housing co-located with commercial development, to provide **workforce housing**, compatible with rural character and service levels; and . . .

Chapter 3, p. 3-25, lines 1261 - 1269:

~~((R-504))~~ R-401 The uses allowed on lands with the Rural Neighborhood Commercial Center~~((s designated on the Comprehensive Plan Land Use Map are))~~ land use designation shall be limited to:

- a. ~~((s))~~Small-scale ~~((business areas))~~ businesses that ~~((should))~~ provide convenience shopping and services for ~~((the surrounding community))~~ surrounding Rural Area and Natural Resource Land residents, such as retail, community and human services, and personal services; and
- b. **Workforce housing**, when part of a mixed-use development that is appropriately sized and scaled to be compatible with rural character.

Chapter 4, p. 4-13, lines 617-620:

~~((H-111))~~ H-125 King County should work with local employers to promote the development of affordable ~~((employer-assisted))~~ **workforce housing** opportunities located ~~((within commuting distance of))~~ near ~~((the))~~ employment sites.

[NOTE: While the above implies that "*workforce housing*" is to "*affordable*" and is meant to be "*located near employment sites*," it still does not provide any definition.]

What are the expected or desired outcomes of this change ?

The requested changes will restore the GMA-required integrity of the Rural Area and the intent that rural growth rates will be reduced over time.

What are the potential positive or negative impacts of this change ?

Positive: See above under **What are the expected or desired outcomes of this change ?**

Negative: None.

How is this amendment consistent with the Growth Management Act ?

The WA State Growth Management Act (GMA) calls for the following:

RCW 36.70A.11 Findings—Rural lands. (our highlighting):

...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;....

RCW 36.70A.020 Planning goals. (our highlighting):

(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, ..., promote the retention and expansion of existing businesses and recruitment of new businesses, ...

RCW 36.70A.070 Comprehensive plans—Mandatory elements. (our highlighting):

(5) Rural element. Counties shall include a rural element including lands that are not designated for urban growth, agriculture, forest, or mineral resources....

(7) An economic development element establishing local goals, policies, objectives, and provisions for economic growth and vitality and a high quality of life.

In each of these **RCWs** dense housing is not allowed in the Rural Area. To support local economic growth, such as within designated RNCCs, housing of any kind should not displace or discourage small businesses from locating within same.

The GMA provides clear definitions regarding the integrity of the Rural Area (our highlighting):

RCW 36.70A.030 Definitions

(35) "Rural character" refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan:....

Allowing dense housing in the Rural Area is not compatible with the definition of "Rural Character."

Conclusion and Recommendation

Conclusion

The “*Rural Neighborhood Commercial Center*” designation is for local small businesses that serve Rural Area residents, not for “*workforce housing*.” Such housing placed in rural settings, not only displaces needed local small businesses and the services they provide local rural neighborhoods, but also is not “*affordable*” as there is little to no infrastructure—no transit, limited one-lane-each-way County roads, no sewers, no water, etc. The King County Executive was correct in calling for the elimination of all such residential density in RNCCs, as detailed in his December 2023 “*Recommended Plan*.”

“The range of uses allowed on lands with the Rural Neighborhood Commercial Center land use designation shall be scaled to be small businesses that provide convenience shopping and services for surrounding Rural Area and Natural Resource land residents, such as retail, community and human services, and personal services.”

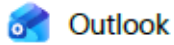
Citizens have been working on this issue for eight years dating back to 2017.

Recommendation

We recommend the changes as presented herein. They would allow *Rural Neighborhood Commercial Centers* to continue to provide small business services to local Rural area residents, not encumbered by dense housing.

King County – Comprehensive Plan 2026 Docket Request #2

Docket #2: Sammamish Potential Annexation Area Rezone



Submitting my document form for Rezoning Property

From Patrick Husting <patrickhusting@hotmail.com>

Date Wed 9/10/2025 2:08 PM

To Compplan <compplan@kingcounty.gov>

 1 attachment (80 KB)

KCCP_Docket_Request_Form_Husting.docx;

[EXTERNAL Email Notice!] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Please see attached for a rezoning request of a residential property.

Thank you

Patrick Husting

Docket Form

King County Comprehensive Plan

Date			
I. Applicant Information			
Name* <i>(if multiple, list all)</i>	Jennifer & Patrick Husting		
Property Address	24907 NE 18 th Street, Sammamish, WA, 98074 (parcel: 262506-9041)		
Phone	425-830-8599	Email	patrick@husting.com
Council District	8		

II. Type of Request			
Comp. Plan Policy or Text Amendment	☐	Land Use Designation Amendment	☐
Development Regulation Amendment	☐	Zoning Classification Amendment	☒
Four to One Proposal	☐	Other	☐
Has this been submitted previously?	Yes ☐	No ☒	If yes, please indicate the year
If yes, what was the outcome?			

III. Amendments to Comprehensive Plan Policy or Text, or Development Regulations	
Additional Information for 2024 Update to the King County Comprehensive Plan: Over the coming months, King County will be developing a scope of work for the next update. If you have ideas and suggestions, please share them! And, consider joining the Comprehensive Plan <u>mailing list</u> to get updates as we move towards key milestones in the project. Thank you for participating in the next update as we plan for the coming 20 years!	
Requested Change? [†]	Change zone from R1P to R4
If addressed already in the plan or code, what change is needed?	
Why is this amendment needed?	All the properties to the west, north and south of me are already zoned R4 which allow more housing to be built in this desirable area.
What are the expected or desired outcomes of this change?	R4 zoning change
What are the potential positive or negative impacts of this change?	None, it would fit better with all the new development that has occurred over the past 10 years.

^{*} Site-specific dockets can be submitted only by property owners or their representatives

[†] If proposing a change to a specific policy or regulation, please include the policy number or code citations

How is this amendment consistent with the Growth Management Act? [‡]	We are in the GMA area, but are classified wrong to help with the housing needs.
---	--

IV. Amendments to Property Specific Land Use and Zoning [§]			
General Location			
Total Acres	12.5		
Tax Parcel ID (if multiple, list all)	262506-9041		
Current Land Use Designation	<i>Unincorp. Activity Center</i>	Requested Land Use Designation Amendment	<i>Click here</i>
Current Zoning Classification	<i>Urban Residential 1</i>	Requested Zoning Classification	<i>Urban Residential 4</i>
Is there a Special District Overlay or Property Development Condition? ^{**}	No		
Requested Change and Rationale	We want to bring the property up to same specifications as the neighborhoods built around us.		
Proposed Use of Parcel	Residential homes		
How will change affect adjoining parcels?	None		
How is change compatible with the surrounding area?	To the south, west and north are already R4 and built out.		
Additional information?			

For property owner representatives:			
Name		Email	
Phone		Click to testify you have authorization to submit a docket for this property owner.	☐

How to Submit a Docket Form:

- Save the Form to your computer, fill it out, and then email it to: compplan@kingcounty.gov.
- Due to the covid pandemic, paper copies are not being accepted.

Background on King County Docket Process

The Docket process responds to the requirements of the Growth Management Act at 36.70A.470 and is codified at the King County Code Title 20.18.107 and .140. Docketing means compiling and maintain a list of suggested changes to the comprehensive plan or development regulations in a manner that ensures suggested changes are

[‡] Revised Code of Washington, 37.70A and related chapters

[§] If multiple parcels, please include information for all parcels

^{**} If there is an SDO- or P-Suffix Condition, please list the number

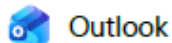


King County

considered by the county and are available for review by the public. June 30 is the annual docket deadline. There is no fee for submitting the docket form. To download this form electronically or learn more about the Docket Process, visit: <http://www.kingcounty.gov/compplan/>

King County – Comprehensive Plan 2026 Docket Request #3

Docket #3: Battery Energy Storage Systems



KCCP Docket Item Request--BESS

From Peter Rimbos <primbos@comcast.net>
 Date Fri 12/26/2025 11:49 AM
 To Compplan <compplan@kingcounty.gov>
 Cc Jensen, Chris (they/them) <Chris.Jensen@kingcounty.gov>

1 attachment (827 KB)

KCCP Docket Request--BESS.pdf;

[EXTERNAL Email Notice!] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

December 26, 2025

To: CompPlan@kingcounty.gov

cc: Chris Jensen, KCCP Manager, chris.jensen@kingcounty.gov

Subject: **Battery Energy Storage Systems (BESS)**

Please accept the attached subject King County Comprehensive Plan (KCCP) Docket Item Request, which seeks to ensure BESS are deployed safely in King County.

Although the attached has been prepared by members of the King County *Joint Team of Urban and Rural Area Unincorporated Organizations*, we are making this submittal as individuals, as there simply was not sufficient time for the Joint Team organizations to vet, discuss, review, modify, vote, and approve same. It is being submitted by the *Coordinator* of the Joint Team, but as an *individual*, not on behalf of the Joint Team.

Please acknowledge receipt. Thank you.

Prepared by: (see p. 3 of the attached)

Submitted by: Peter Rimbos, Coordinator, primbos@comcast.net



Docket Form

King County Comprehensive Plan

Date	December 26, 2025		
I. Applicant Information			
Name (if multiple, list all)	(see p. 3)		
Property Address	N/A		
Phone	425-432-1332	Email	primbos@comcast.net
Council District	3 and 9		

II. Type of Request			
Comp. Plan Policy or Text Amendment		Land Use Designation Amendment	
Development Regulation Amendment	Yes	Zoning Classification Amendment	
Four to One Proposal		Other	
Has this been submitted previously?	No	If yes, please indicate the year	
If yes, what was the outcome?			

III. Amendments to Comprehensive Plan Policy or Text, or Development Regulations	
Introduction	(see p. 3)
Background	(see pp. 3 - 7.)
Requested Changes?	(see pp. 8 - 10.)
If addressed already in the plan or code, what change is needed?	(see pp. 8 - 10.)
Why is this amendment needed?	(see pp. 12 - 14.)
What are the expected or desired outcomes of this change?	(see p. 15.)
What are the potential positive or negative impacts of this change?	(see p. 15.)
How is this amendment consistent with the Growth Management Act?	(see p. 15.)
Conclusions and Recommendations	(see p. 16.)
Appendices	(see pp. 17 - 38)

IV. Amendments to Property Specific Land Use and Zoning			
General Location			
Total Acres			
Tax Parcel ID (if multiple, list all)			
Current Land Use Designation	Click here	Requested Land Use Designation Amendment	Click here
Current Zoning Classification	Click here	Requested Zoning Classification	Click here
Is there a Special District Overlay or Property Development Condition?			
Requested Change and Rationale			
Proposed Use of Parcel			
How will change affect adjoining parcels?			
How is change compatible with the surrounding area?			
Additional information?			

For property owner representatives:			
Name		Email	
Phone		Click to testify you have authorization to submit a docket for this property owner.	

How to Submit a Docket Form:

- Save the Form to your computer, fill it out, and then email it to: compplan@kingcounty.gov.
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Background on King County Docket Process

The Docket process responds to the requirements of the Growth Management Act at 36.70A.470 and is codified at the King County Code Title 20.18.107 and .140. Docketing means compiling and maintain a list of suggested changes to the comprehensive plan or development regulations in a manner that ensures suggested changes are considered by the county and are available for review by the public. June 30 is the annual docket deadline. There is no fee for submitting the docket form. To download this form electronically or learn more about the Docket Process, visit: <http://www.kingcounty.gov/compplan/>

KCCP Docket Item Request

Introduction

The individuals below, listed in alphabetical order, are submitting the Docket Item Request herein.

Mike Birdsall, Hobart
 Susan Boundy-Sanders, Magnolia
 James DeLay, Covington
 Serena Glover Woodinville
 Jeff Guddat, Auburn
 Patricia Gustafson, Woodinville
 Susan Harvey, Ravensdale
 Steve Hiester, Maple Valley

Don Huling, Auburn
 Karen Meador, Auburn
 Tim O'Brien, Cumberland
 Peter Rimbos, Maple Valley
 Michael Tanksley, Woodinville
 Patricia Traub, Enumclaw
 Greg Wingard, Covington
 Toby Una, Ravensdale

Although we all are members of the King County *Joint Team of Urban and Rural Area Unincorporated Organizations*, we are making this submittal as individuals, as there simply was not sufficient time for the Joint Team organizations to vet, discuss, review, modify, vote, and approve.

In addition to providing all the information required on the *standard* Docket Item Request form, we have included four Appendices:

- Appendix A — Financial Liability** (p. 17)
- Appendix B — Government Actions on BESS Facilities** (pp. 18 - 22)
- Appendix C — Alternate Energy Storage Solutions** (pp. 23 - 24)
- Appendix D — References** (pp. 25 - 38)

Background

We understand use of a Battery Energy Storage Systems (BESS) facility is one of the ways that can be used to store energy for later use, especially that from renewable sources, such as Wind and Solar, which are intermittent energy generators. Because of these reasons, we support the judicial use and siting of BESS facilities. We also understand that siting of such facilities must be informed by what each site offers and does not offer. In general, a prospective site makes most sense when coupled with energy systems and needed infrastructure/capabilities, such as fire fighting, hazardous materials handling, emergency response, etc., already exist.

We see three potential applicants for *commercial-scale* BESS facilities: (1) Power utilities for use in conjunction with Wind and Solar, as well as to improve stability, and making the grid more resilient; (2) High-electric-use industries for use as back-up, or paired with co-generation; and (3) Speculators seeking relatively inexpensive land (rural) to leverage as much cash out of the deal as possible. We consider potential applicants for BESS facilities listed in (1) and (2) above as legitimate. We consider those in (3) as not and, thus, the most problematic. To be clear, we see no problems with *residential-scale* BESS as an accessory use with net metering by a local utility.

Given the State's goals for capacity for *commercial-scale* BESS, it appears there is no need for them to be placed in the Rural Area. In fact, King County can more than meet the capacity goals by limiting BESS facilities to industrial areas. It is in those areas where all the needed safety and response training and capabilities already exist. Hazardous materials events, such as metal fires,

require specialized knowledge and equipment, especially with potential releases of toxic gases with Lithium battery fires.

Again, State goals for total storage can be met in King County by co-locating *commercial-scale* BESS facilities with large electricity users in the industrial zoned areas. The benefits are many, the company themselves can benefit from using the stored electricity to augment or power their operations during peak use times when electricity costs are high, and in the case of grid brown outs or blackouts, the capacity can be directed to stabilizing the grid. Such sites allow for multiple benefits: Uses land already zoned industrial, Takes advantage of existing robust plans for hazardous materials response, and has Fire Departments that are better trained and equipped to potential emergencies.

Los Alamos National Laboratories has concluded that Li BESS only should be allowed in heavy industrial zones, where a fire and/or evacuation contamination events could be adequately managed and not cause safety concerns to many people (*"Lithium-ion Battery Safety Issues for Electric and Stationary Applications,"* Los Alamos National Laboratory, 2019).

However, we recognize there are issues related to equity and social/environmental justice in placing a high proportion of *commercial-scale* BESS facilities in the industrial areas where many marginalized communities, historically and currently, have experienced higher levels of impacts from toxic exposures than surrounding, better-off communities. Such considerations must be taken into account.

In the Rural Area, there may be instances where there could be benefits from *co-locating commercial-scale* BESS with existing electrical infrastructure and facilities, as these properties already are owned by utilities (or governments) and the property already is in an industrial use. Also such locations already are required to have plans in place for emergency response, due to the nature of the site-specific equipment (such as transformers). The reason for doing this rather than being driven by capacity needs would be more focused on stabilizing the grid and making the system more robust. This also would have the benefit of not having to, or minimizing any, increase of footprint of industrial uses in the Rural Area, while still providing the benefits from having additional localized electric supply on standby, and to *"condition"* the grid from spread out nodes.

King County Ordinance

The recently passed **King County Ordinance 19824** concerning BESS provides current limitations on siting such facilities.

Concerns

Accessory Use—The Ordinance only covers what qualifies for an *accessory use* (i.e., for residential / commercial / industrial use) versus a *grid-connected / load-sharing / revenue-generating use*. Qualifications are needed for any off-site *grid-connected / load-sharing / revenue-generating use* arrangements.

Setback Requirements—The Ordinance states the requirement of 10 feet of spacing between BESS containers, but has no setback requirements from agricultural lands, schools, hospitals, residences, sensitive environments, and high-risk/vulnerable locations—note: BESS are an allowed use on ~97% of the King County's unincorporated land area. The State law (**WAC 51-54A-0322.4.3.1 Distance from storage to exposures**) states: *"Paragraph 3. Battery storage shall be located not less than 3 feet (914 mm) from any building, lot line, public street, public alley, public way, or means of egress, where batteries are contained in approved prefabricated portable structures providing a complete 2-hour fire-resistance rated enclosure."*

We find that inadequate. The Ordinance allows BESS anywhere in King County except Agricultural Zoned Land. But there are no setback requirements from agricultural lands to protect it from being contaminated BESS fires. We note that these setbacks for BESS are completely inconsistent with other specific uses approved by King County:

- (1) Winery, brewery, distillery facility uses shall maintain a minimum distance of 75 feet from interior property lines adjoining rural area and residential zones.
- (2) Outdoor production area fencing as required by the Washington State Liquor and Cannabis Board for marijuana greenhouses shall maintain a minimum street setback of 50 feet and a minimum interior setback of 100 feet; and a minimum setback of one 150 feet from any existing residence.
- (3) New, modified, or expanded fossil fuel facilities shall: (1) not be located within 1,000 feet from any schools, medical care facilities, or places of assembly that have occupancies of greater than one thousand persons; (2) not be located within 250 feet from a regulated wetland or aquatic area, except when a larger buffer is required under K.C.C. chapter 21A.24, the buffer in K.C.C. chapter 21A.24 shall apply; and (3) maintain an interior setback of at least 200 feet.

Financial Liability—The Ordinance requires financial liability that is capped at \$1M: *“applicant shall demonstrate financial responsibility for public liability and environmental risks, in an amount of one million dollars, conditioned upon or responsive to the applicant’s payment of damages to persons and property, up to one million dollars, resulting from or caused by a thermal event at a battery energy storage system. Nothing in this subsection shall be construed to limit an applicant from voluntarily obtaining financial responsibility for public liability and environmental risks in excess of one million dollars.”* However, when there is a fire, clearly *commercial-scale* BESS are incredibly dangerous. The standard operating procedure is for fire departments to let a Lithium battery fire burn itself out (as there is no known effective extinguishing method). This releases a deadly chemical cocktail of gasses and smoke)ash released is extremely toxic and can be spread for miles and contaminate the surrounding land (two recent BESS fires in CA have resulted in the EPA taking over cleanup oversight and clean up is expected to take years). Clearly, a \$1M financial liability cap is inadequate. In fact, catastrophic levels of guaranteed financial liability should be required through a Bond to cover worst case scenarios. [Please see **Appendix A — Financial Liability**.]

Toxics Monitoring—The Ordinance does not require developers to install, maintain, and regularly test air-quality sensors for toxins (see **Appendix A — Financial Liability** for a list).

Emergency Response—The Ordinance does not address costs to cover purchasing of all the first responder’s *commercial-scale* BESS fire appropriate gear, equipment, vehicles, air/soil/ water testing equipment, air testing drones and robots, extra HAZMAT/scuba gear while gear is sent off for attempted cleaning/mandatory replacement gear if it can’t be cleaned, and appropriate full time staffing to ensure no drop in service-levels during a 5- to 17-day long BESS fire, HAZMAT teams and bomb squads and any other costs/expenses associated with a fire event and evacuation. Nor does it address requirements for emergency response plans.

Noise Levels—The Ordinance does not address noise levels, leaving such regulation to be permit specific based on particular zoning, which probably means a system of fines for violations. Unfortunately, *commercial-scale* BESS developers / owners often have considered such fines *“a cost of doing business.”* Clearly, there needs to be heavy fines for BESS that exceed the noise limits- not only should the BESS owner and BESS developer be fined heavily daily, but the Engineering firm that the BESS developer hired to provide the inaccurate sound study also should be subject to the fines. The *average* Li BESS generates between 96db to 106db of noise 24/7. Such *noise* levels are similar to what would be experienced when next to a subway train or factory machinery, and clearly are not compatible with rural noise levels—**KC Code 12.86.110 Environmental sound levels – maximum permissible sound levels**. calls

for a 47 to 49-dB limit in the Rural Area—note that the difference between such allowable limits and an average BESS of 100 dB—~50 dB, or 32 times !

King County Code (KCC)

The KC Council also approved a new BESS land use governed by a new *Condition 30* in **KC Code Title 21A.08.100 Regional land uses**:

Battery energy storage systems, except those defined as an accessory use under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025, are subject to the applicable permit requirements of subsection A. of this section and the following conditions:

- a. **A minimum separation of ten feet shall be maintained between rooms or enclosures containing battery energy storage systems and landscaping or other vegetation;**
- b. **As part of building permit application submittal, battery energy storage systems shall demonstrate financial responsibility for public liability and environmental risks in accordance with K.C.C. chapter 21A.XX *[the new chapter created by section 16 of this ordinance]* if the total system capacity is more than two megawatts and all three of the following apply:**
 - (1) **the battery technology requires thermal runaway compliance under WAC 51-54A-1207.6;**
 - (2) **any individual room, cabinet, container, or other enclosure containing the system has an energy rating greater than two megawatt-hours, or any two enclosures are less than ten feet apart; and**
 - (3) **the system does not qualify as a remote installation under IFC 1207.8.1.;**
- c. **As part of building permit application submittal, battery energy storage systems with a total system capacity more than two megawatts shall demonstrate financial responsibility for decommissioning in accordance with K.C.C. chapter 21A.XX *[the new chapter created by section 16 of this ordinance]*;**
- d. **If financial responsibility is required by subsection B.30.b. or c. of this section, the applicant shall submit verification of financial responsibility to the department every five years, beginning five years from the date of permit issuance;**
- e. **The findings and recommendations of studies, analyses, and testing required by K.C.C. Title 17, WAC 51-54A-1207, and the International Fire Code, should be incorporated into the permit conditions for the facility; and**
- f. **As part of application submittal, the applicant shall submit verification that preliminary fire safety and evacuation plans have been shared with the local fire protection district. The final plans shall be shared with the local fire protection district before final inspection approval.**

The KC Council added a *new* SECTION 17 dealing with “*financial responsibility*” a SECTION 19 calling for the KC Executive to prepare a *BESS Study Report*.

BESS also is mentioned as an “*accessory use*” in the following three KC Code titles (language in all three is identical, except for the use of “*residential / commercial/industrial / resource,*” respectively):

21A.08.030 Residential land uses.

B.7.d. Battery energy storage systems are considered a residential accessory use when the total system capacity is two megawatts or less, and:

- (1) the system provides electricity for on-site use only, with "on-site use" including net metering as well as charging of vehicles on-site or in the right-of-way immediately adjacent to the site; or**
- (2) the system is intended primarily for on-site use, but also participates in load sharing or another grid-connected electricity-sharing arrangement.**

21A.08.060 Business services land uses.

18. Battery energy storage systems are considered a commercial/industrial accessory use when the total system capacity is two megawatts or less, and:

- a. the system provides electricity for on-site use only, with "on-site use" including net metering as well as charging of vehicles on-site or in the right-of-way immediately adjacent to the site; or**
- b. the system is intended primarily for on-site use, but also participates in load sharing or another grid-connected electricity-sharing arrangement.**

21A.08.090 Resource land uses.

B.29. Battery energy storage systems are considered a resource accessory use when the total system capacity is two megawatts or less, and:

- a. the system provides electricity for on-site use only, with "on-site use" including net metering as well as charging of vehicles on-site or in the right-of-way immediately adjacent to the site; or**
- b. the system is intended primarily for on-site use, but also participates in load sharing or another grid-connected electricity-sharing arrangement.**

King County Comprehensive Plan (KCCP)

The KCCP does not specifically address BESS in any Policy. In fact, only the following Policy, while not specifically mentioning BESS, addresses renewable energy (p. 3-15):

R-332 Renewable energy technologies may be sited in the Rural Area and Natural Resource Lands, as appropriate. Development standards should ensure that the siting, scale, and design of these facilities respect and support rural character.

This policy is very broad in that it encompasses all “renewable-energy technologies,” but it does call for siting to “respect and support rural character.”

While we consider all of the above a good start, we see some areas that need to be addressed in more depth, as we do under **Why is this amendment needed ?**

How Some King County Cities Have Handled BESS

Several King County cities have considered commercial-scale BESS facilities and initiated Moratoriums as follows:

Active Moratoriums—Auburn, Black Diamond, Covington, Enumclaw, and Maple Valley

Expired Moratorium—Renton

Moratoriums Under Consideration—Seattle and Snoqualmie

Also see **Appendix B — Government Actions on BESS Facilities.**

Requested Changes

King County Ordinance

The provisions in KC **Ordinance 19824** concerning *BESS* should be *revisited* to ensure safety is the priority and the following is considered as KC Code is revised:

Issues—Noise/nuisance; Maintenance of community character; and Depreciation impacts to neighboring property.

Risks—No prevention methods; No extinguishing methods; No containment methods; Insufficient staffing and equipment to handle a BESS fire; and Depletion of aquifers)

Dangers—Short- and long-term health toxic smoke, gasses, and ash forcing evacuations

Costs—Costs associated with evacuations, health issues, and environmental clean-up.

In the next section we address potential changes to KC Code that a new Ordinance can address to meet these deficiencies.

King County Code

Below we address changes we propose and our accompanying supporting rationale for two parts of KC Code **Title 21A ZONING: 21A.08 PERMITTED USES** and **21A.06 TECHNICAL TERMS AND LAND USE DEFINITIONS**.

Proposed Changes:

We propose the following **changes** in **KC Code Title 21A.08.100 Regional land uses. Condition 30:**

Battery energy storage systems, except those defined as an accessory use under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025, are subject to the Department of Ecology requirement for a Certificate of Financial Responsibility (COFR) and applicable permit requirements of subsection A. of this section and the following conditions:

- a. A minimum separation of ~~ten~~ **fifteen** feet shall be maintained between rooms or enclosures containing battery energy storage systems and landscaping or other vegetation **and installations shall include spill containment and drainage systems constructed of impervious surfaces that can hold all fire suppression water plus battery electrolyte volume, with no discharge to storm drains or groundwater until treated. This includes dedicated catch basins or lined containment ponds sized for full fire suppression water volume;**
- b. As part of building permit application submittal, battery energy storage systems shall demonstrate financial responsibility for public liability and environmental risks in accordance with K.C.C. chapter 21A.49 if the total system capacity is more than ~~two megawatts~~ **500 kilowatts** and all three of the following apply:
 - (1) the battery technology requires thermal runaway compliance under WAC 51-54A-1207.6;
 - (2) any individual room, cabinet, container, or other enclosure containing the system has an energy rating greater than ~~two megawatt-hours~~ **500 kilowatt-hours**, or any two enclosures are less than ~~ten~~ **fifteen** feet apart; and

- (3) the system does not qualify as a remote installation under IFC 1207.8.1.;
- c. As part of building permit application submittal, battery energy storage systems with a total system capacity more than **two megawatts 500 kilowatts** shall demonstrate financial responsibility for decommissioning in accordance with K.C.C. chapter 21A.49;
 - d. If financial responsibility is required by subsection B.30.b. or c. of this section, the applicant shall submit verification of financial responsibility to the department every **five years**, beginning **five two** years from the date of permit issuance;
 - e. The findings and recommendations of studies, analyses, and testing required by K.C.C. Title 17, WAC 51-54A-1207, and the International Fire Code, should be incorporated into the permit conditions for the facility; and
 - f. As part of application submittal, the applicant shall submit verification that preliminary fire safety and evacuation plans have been shared with the **local police authority and local fire protection district and evacuation plans must be approved by the local police authority and local fire protection district**. The final plans shall be shared with the **local police authority and local fire protection district and be approved by the local police authority and local fire protection district** before final inspection approval.

Supporting Rationale for the Proposed Changes Above:

The addition of the **Department of Ecology requirement for a Certificate of Financial Responsibility (COFR)** is needed because of the potential dangers and the Federal Environmental Protection Agency (EPA) being required to take over cleanup and take an active role in supervising BESS fire cleanup due to the widespread toxic nature of a lithium BESS fire. All Lithium BESS facilities should be required to prove they can cover toxic run-off cleanup costs, toxic fallout/ash cleanup costs, and cover all other environmental and wildlife-related injury costs demonstrated through insurance, surety bonds, guarantees, or self-insurance, submitted via the Secure Access Washington (SAW) portal, ensuring sufficient funds for damages and protecting the environment.

The change from **ten to fifteen feet between rooms and enclosures** is needed because previously, there was a 5-ft required separation distance between BESS containers, but after the Victorian Big Battery BESS fire in Australia in 2021, the industry adjusted to a 10-ft separation requirement, which unfortunately has proven to not be sufficient with two more BESS fires jumping the 10-ft gap to ignite another BESS container (see: Boulder City, Nevada - September 2025 and California Flats Solar Project Fire in Monterey, CA - August 2025). Additionally, in many BESS fires *nearby* BESS containers have been scorched, even though millions of gallons of water were sprayed on adjacent BESS containers to try to keep them cool.

The inclusion of **spill containment and drainage systems** is necessary, in fact, KC Code **Title 9 Surface Water Management** requires such containment of hazardous runoff: (1) **Title 9.04 Stormwater Runoff and Surface Water & Erosion Control** requires that all development manage stormwater to prevent pollution of surface waters; (2) **Title 9.12 Water Quality** explicitly prohibits discharge of pollutants—including hazardous firewater runoff—into county stormwater systems; and (3) **Title 9.14 Groundwater Protection** mandates measures to prevent contamination of groundwater from materials defined as hazardous materials. The **National Fire Protection Association (NFPA)**—a global non-profit that develops and maintains standards for fire prevention, electrical safety, and related hazards to eliminate death, injury, and property loss—publishes widely adopted codes. **NFPA 855** requires BESS installations to include spill containment and drainage systems that can hold all fire suppression water plus battery electrolyte volume. The **International Fire Code (IFC)**—adopted by Washington State

—mandates impervious surfaces under BESS units and secondary containment for hazardous liquids. **Federal EPA** guidance states that firewater from Li-ion battery fires is considered hazardous wastewater; facilities must design pads and catch basins to prevent uncontrolled release. Finally, a Stormwater Pollution Prevention Plan (SWPPP) is required under the **National Pollutant Discharge Elimination System (NPDES)**—a core part of the Federal Clean Water Act that regulates point source discharges of pollutants stormwater program for BESS constructed larger than or equal to 1 acre. The EPA defines a SWPPP as a site-specific plan identifying pollutant sources and stormwater controls.

The changes from **two megawatts to 500 kilowatts** on system capacity are needed because two megawatts is enough to power 2,000 homes for 4 hours and no normal residence would have that kind of backup battery power as an *accessory*. A typical home in the United States uses an average of ~30 kilowatt-hours (kWh) of electricity per day. This translates to under 1,000 kWh per month. In fact, this part of KC Code should distinguish between *residential* accessory use and *business* accessory use, possibly with ~100kW for residential use and ~500kW for business accessory use. No accessory use needs two megawatts.

The change from **two megawatt-hours to 500 kilowatt-hours** for system energy rating is needed because two megawatt-hours is four times more likely to have a *thermal-runaway* event with the consequences/impact being four times worse (*thermal runaway* is a chain reaction where heat from one cell triggers adjacent cells to overheat resulting in stored chemical energy converting to thermal energy). We can see some businesses potentially needing up to 500 kWh if they have solar, so, possibly, a requirement that businesses that want to have more than 100 kwh of battery storage have equivalent sized solar system to charge up the batteries.

The changes from **every five years to every year** to submit verification of financial responsibility and beginning **two years** instead of **five years** from the date of permit issuance are needed because BESS developers and owners create LLC's to legally separate them from BESS *thermal-runaway* events, e.g., have their LLCs shut down / file bankruptcy to avoid paying clean-up costs. Currently in Moss Landing, CA, January 2025 (see **Appendix D — References**), the BESS owner is *not* taking responsibility for damages beyond its facility's fence-line, and it isn't being held accountable for the environmental damages, injuries caused from exposure, and damages to crops, wildlife, and the environment. Other BESS developers / owners (LLCs) have disappeared and /or filed bankruptcy. If BESS have a fire anywhere near people, homes, schools, gathering places, and environmentally vulnerable locations, King County needs to verify that funds are readily available to meet clean-up, etc. needs.

The changes regarding **evacuation plans** are needed because all too often the standard evacuation plans submitted by BESS developers are drawn up to *minimize* the concerns enumerated herein.

Proposed Changes:

Where BESS is mentioned as an “*accessory use*” as in KC Code **Titles 21A.08.030 Residential land uses, B.7.d.; 21A.08.060 Business services land uses, B. 18; and 21A.08.090 Resource land uses, B. 29.**, which all have identical language (*note: descriptions shown in [] below pertain to each particular title, respectively*), we propose the following changes in that language:

Battery energy storage systems are considered a [residential / commercial/industrial / resource] accessory use when the total system capacity is two megawatts 500 kilowatts or less, and:

- (1) *the system provides electricity for on-site use only, with "on-site use" including net metering as well as charging of vehicles on-site or in the right-of-way immediately adjacent to the site; or*
- (2) *the system **is non-lithium battery based and** is intended primarily for on-site use, but also participates in load sharing or another grid-connected electricity-sharing arrangement.*

Supporting Rationale for the Proposed Changes Above:

The changes from **two megawatts** to **500 kilowatts** on system capacity are needed because, as described earlier, two megawatts is enough to power 2,000 homes for 4 hours and no normal residence would have that kind of backup battery power as an *accessory*. A typical home in the United States uses an average of ~30 kilowatt-hours (kWh) of electricity per day. This translates to roughly 1.000 kWh per month. Again, this part of KC Code should distinguish between *residential* accessory use and *business* accessory use, possibly with ~100kW for residential use and ~500kW for business accessory use. No accessory use needs two megawatts.

The qualification for a **non-lithium battery based** is to ensure that safer Alternative Energy Storage Systems (see **Appendix C — Alternate Energy Storage Solutions**) can be used as an accessory use and participate in both net metering and/or load sharing/grid-connected electricity sharing arrangements. For the long term looking at safer alternatives like Long Duration Energy Storage (LDES) options can meet our energy storage needs as they can provide power for days/weeks vs. lithium's max 4 hours, while possessing life expectancies of several decades vs. lithium's 8-10 years.

Why is this amendment needed ?

The **2024 KCCP Major Update Final Environmental Impact Statement (FEIS)** states the following:

p. 2-13: "Adopt standards to limit or prohibit the location and development of battery energy storage systems in the unincorporated area, especially near residences and places people congregate."

We seek that KC Code and any associated Policy align with the above statement. In addition our request herein is needed to ensure full compliance with the State's *Growth Management Act (GMA)*, PSRC's *VISION 2050*, King County's *Countywide Planning Policies (CPPs)*, and other portions of the *KCCP*, as described below.

State GMA (adopted October 1990)

Maintaining Rural Area character is discussed in:

RCW 36.70A.11 Defines rural lands.

RCW 36.70A.020 Includes planning goals for rural lands.

RCW 36.70A.070 Defines the Rural Element for Comprehensive Plans.

PSRC VISION 2050 (adopted October 2020)

Maintaining Rural Area character is discussed in:

DEVELOPMENT PATTERNS

Rural Areas and Natural Resource Lands

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."*

KC CPPs (as amended in 2023)

Maintaining Rural Area character is discussed in:

ENVIRONMENT

Environmental Sustainability

EN-1 “Incorporate environmental protection and restoration efforts including climate action, mitigation, and resilience 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.”

DEVELOPMENT PATTERNS

Rural Area and Natural Resource Lands

Rural Area

The Rural Area is characterized by low density development with a focus on activities that are dependent on the land such as small-scale farming and forestry.

DP-47 Limit growth in the Rural Area to prevent sprawl and the overburdening of rural services, minimize the need for new rural infrastructure, maintain rural character, and protect open spaces and the natural environment. To limit growth pressure in the Rural Area, locate services in Cities in the Rural Area and cities that border the rural area.

KCCP (adopted December 2024)

Maintaining *Rural Area character* is discussed on p. 3-1 in *Chapter 3. RURAL AREAS AND NATURAL RESOURCE LANDS, Part I. Rural Area* (note: our **emphases** below):

“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. The rural landscape is characterized by extensive forests and farm lands, free-flowing rivers and streams that provide high-quality habitat for fish and wildlife, and a mixture of housing types along with small commercial enterprises and business hubs.... Conserving the Rural Area and Natural Resource Lands in King County is integral to providing diversity in lifestyle choices; sustaining farming and forestry economies; protecting environmental quality and wildlife habitat; providing recreation opportunities; and maintaining a link to the county’s resource-based heritage.”

The *Wildland-Urban Interface and Fire Resilience* are discussed on pp. 3-29 to 3-30 in *Chapter 3. RURAL AREAS AND NATURAL RESOURCE LANDS, Part VIII. Natural Resource Lands* (note: our **emphases** below):

Reducing Risk in the Wildland-Urban Interface

Wildland-urban interface areas include Vashon-Maury Island and areas of east King County, such as in the Four Creeks/Tiger Mountain, Snoqualmie Valley/Northeast King County, and Greater Maple Valley/Cedar River Community Service Areas.

Proactive steps that can benefit wildfire risk reduction in the wildland-urban interface include outreach and technical assistance to forest landowners and residents on best management practices for reducing wildfire risk; developing wildfire preparedness, response, and recovery plans; controlling for invasive species that can act as an accelerant for fire; evacuation planning; and building strong partnerships that support effective planning and response. Vegetation management around homes and critical infrastructure is also an important tool for reducing risk and should be pursued in ways that avoid impacts to critical areas.

R-736 King County shall take steps to plan for and reduce wildfire risk in the wildland-urban interface in unincorporated King County including wildfire risk assessment and planning, amending codes to align with best practices for wildfire risk reduction, and public education.

R-737 King County shall encourage wildfire preparedness, including wildfire risk assessment and planning, in cities and towns located in the wildland-urban interface in King County.

R-738 King County shall make residents aware of the dangers of forest fires and encourage them to take steps to make their properties less vulnerable.

Such preparedness planning is critical and is directly impacted by siting of *commercial-scale* Li-BESS in the Rural Area of King County where critical infrastructure is sorely lacking, including roads and escape routes, water availability, enhanced fire-fighting equipment, and fast emergency medical assistance.

All of the above make it very clear that, while *residential-scale* Li-BESS can be adequately sited in the Rural Area, *commercial-scale* Li-BESS has no place in the Rural Area of King County, except where electrical infrastructure and facilities owned by utilities (or governments) exist and such property already is a legal industrial use.

What are the expected or desired outcomes of this change ?

Changes requested herein will restore GMA-required integrity of the Rural Area, ensure safety of residents and infrastructure, and support the intent that rural growth rates will be reduced over time.

What are the potential positive or negative impacts of this change ?

Positive: See above under **What are the expected or desired outcomes of this change ?** and the Supporting Rationale for each proposed change provided under **Requested Changes**.

Negative: None.

How is this amendment consistent with the Growth Management Act ?

The WA State Growth Management Act (GMA) calls for the following:

RCW 36.70A.11 Findings—Rural lands. (our highlighting):

...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;....

RCW 36.70A.070 Comprehensive plans—Mandatory elements. (our highlighting):

(5) Rural element. Counties shall include a rural element including lands that are not designated for urban growth, agriculture, forest, or mineral resources....

In each of these **RCWs** rural character and integrity are emphasized.

The GMA also provides clear *definitions* regarding the integrity of the Rural Area (our highlighting):

RCW 36.70A.030 Definitions

(35) "Rural character" refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan:....

Conclusions and Recommendations

Conclusions

Battery storage options are needed as we continue the transition to an all renewable energy system for powering our planet. Herein we have offered proposed changes to existing KC Code to ensure better safe outcomes should Li BESS be deployed. We believe our proposed changes, once enacted, would assure much better safety when deploying Li BESS.

There are three potential concerns with Li BESS: (1) *Thermal runaway* which would force evacuation of nearby residents, etc.; (2) *Noise levels* between 96dB to 106dB 24/7; and (3) *Environmental contamination*.

Commercial-scale Li BESS have no place in King County's Rural Area where critical infrastructure and emergency response are critically lacking, except co-location with existing electrical infrastructure and facilities, as these properties already are owned by utilities (or governments) and the property already is in an industrial use. Siting of Li BESS near Schools, hospitals, care facilities, and neighborhoods would require miles of setbacks and, thus, would prove impractical.

Commercial-scale Li BESS facilities sited in King County should be required to prove they have trained Hazardous Material Response crews, trained in dealing with metal fires, as well as more general Hazardous Material training and possess the equipment, supplies, and infrastructure to support the necessary types of emergency response.

Many *alternative* energy storage solutions exist that do not have the risks, nor issues, associated with Li-BESS (see **Appendix C—Alternative Energy Storage Solutions**).

Recommendations

Revisit KC Council **Ordinance 19824** by preparing a new ordinance to address our concerns.

Consider the proposed KC Code changes herein, especially siting limitations based on available infrastructure. In fact, *commercial-scale* Li BESS only should be allowed in infrastructure-rich heavy industrial zoned areas.

Site *commercial-scale* BESS in the Urban Growth Area, where needed infrastructure exists, especially for equity reasons, given that <5% of King County's population lives in the Rural Area (far less on Agricultural and Forest lands) and they primarily would serve urban areas and large companies.

Require builders/owners of all *commercial-scale* BESS to be fully liable for any damages caused.

Disallow use of Wetland Mitigation Credits for potential *commercial-scale* BESS sites possessing critical wetlands.

Disallow siting any *commercial-scale* BESS facilities on Public Lands including those purchased with any type of Conservation funding (Local or State).

Require Public Notice, Public Meetings, and full KC Council approval of any proposed *commercial-scale* BESS facility and site.

Appendix A — Financial Liability

Clearly, a \$1M financial liability cap is inadequate for *commercial-scale* BESS. In fact, catastrophic levels of guaranteed financial liability should be required through a Bond to cover worst case scenarios.

Ordinance 19824 concerning BESS requires financial responsibility for decommissioning as well—which should cover all foreseeable costs of a non-thermal runaway decommissioning which returns the site back to its initial state—including removing all underground systems, gravel, concrete slabs, and all associated systems. To complete this, soil samples should be taken throughout the site as part of the pre-construction requirements and sent to an independent lab (chosen by the local government) for testing/reporting and after decommissioning, soil tests should be sent to the same lab to ensure the land has been fully restored to pre-BESS condition. Additionally, due to many BESS sites having trees, shrubs, and other plants that were removed for the BESS, they all must be restored to a similar habitat with guaranteed survival of the rebuilt ecosystem for a decade.

Furthermore, the BESS financial responsibility Bond must cover the full cleanup costs when there is a fire- including the whole BESS facility and surrounding areas (potentially 5+ miles away) based on recent BESS fires data- and, to enable proper cleanup, lab testing should be required to have historical and comparable soil, water, and environmental test results on hand/recorded for pre-BESS conditions which will be used in the event of a fire to have a documented comparable soil/water/environmental lab test data, the same lab tests should be completed for a reasonable amount of locations expanding out to a 5-mile radius around the BESS site and kept on file for future comparison to post-BESS fire samples. The air/soil/environmental tests should test for all known substances released from a BESS fire:

Hydrogen cyanide (HCN), Hydrogen chloride (HCl), Chlorine (Cl₂), Hydrogen sulfide (H₂S), Nitrogen dioxide (NO₂), Sulphur dioxide (SO₂), Phosphoryl fluoride (POF₃), Ammonia (NH₃), Hydrogen fluoride (HF), Fluorinated Compounds (e.g., PF₅, CF₄), Phosphorus pentafluoride (PF₅), Tetrafluoromethane (CF₄), Dioxins/Furans, Persistent organic pollutants, Carbon Monoxide (CO), Carbon dioxide (CO₂), Hydrocarbons, Hydrogen (H₂), Solvents, Formaldehyde, Benzene, Acetylene, Lithium (Li), Cobalt (Co), Nickel (Ni), Manganese (Mn), Particulate Matter (PM_{2.5}/PM₁₀) Fine particles penetrate deep into lungs, causing inflammation, asthma exacerbation, and cardiovascular strain. Heavy metals (Li, Co, Ni, Mn) in PM increase toxicity.

The BESS Ordinance states: *“Consistent with chapter 36.32 RCW, King County shall not require any state agency or unit of local government to secure the performance of a permit requirement with a financial guarantee as a condition of issuing a permit or approval for a building construction project. The director, however, may request a state agency or unit of local government to sign an agreement to complete required improvements, or to complete retention of required financial responsibility consistent with K.C.C. ((21A.08.100)) chapter 21A.XX (the new chapter created by section 16 of this ordinance), and protect the county's rights and duty to remedy unsatisfactory performance.”* Local governments that are within a 5-mi radius should be listed on the Bond and escrow liability funds as it will be their citizens, emergency responders, schools, businesses, and evacuation sites that will bear the brunt of handling potentially 1,000's of families with a BESS fire and associated evacuations and shelter in place orders, and during the fallout clean up.

Many Rural Area businesses are family-owned and cannot afford legal fees to challenge BESS owners after a serious accident. Any incident could lead to costly compensation disputes. A bond would guarantee funds for compensation without financially burdening such communities.

Appendix B — Government Actions on BESS Facilities

State Actions on BESS in Washington State (As of December 6, 2025)

Entity	Type	Status	Details	Dates/ Citations
Washington State Building Code Council (SBCC) / WA Fire Code	Code Adoption	Active/In Progress	Incorporating NFPA 855 into WA Fire Code for baseline safety standards; statewide fire marshal guidance and rulemaking ongoing. maplevalleywa.gov +1	2023–Ongoing
Energy Facility Site Evaluation Council (EFSEC)	State Permitting/ Siting Review	Active	Reviews large/utility-scale BESS as part of site certification; stand-alone BESS may opt-in; subsumes local approvals for qualifying projects; approved Carriger Solar with BESS in June 2025. whatcomcounty.us +3	Ongoing
Washington State Department of Ecology	Guidance Development	In Progress	Compiling guidance on BESS facility siting, referenced in multiple local moratoriums for study purposes. blackdiamondwa.gov	Initiated 2025
Governor's Office	Project Delay	Active	Delayed final approval of hybrid BESS proposal (e.g., Cypress Creek Renewables project) in September 2025 due to safety and environmental concerns; no statewide moratorium but indicates scrutiny. energy-storage.news	September 2025–Ongoing

Cities in Washington State with BESS Actions (As of December 6, 2025)

City	Type	Status	Details	Dates/Citations
Anacortes	Discussion	Discussed/No Formal Action	Planning Commission discussed community concerns over BESS impacts; no ordinance proposed.	April 23, 2025
Auburn	Moratorium	Active (Extended)	6-month moratorium adopted; extended for another 6 months due to safety concerns; council study session briefing on national incidents.	Adopted May 2025 (Ord 6785); Extended November 3, 2025 (until ~May 2026)
Black Diamond	Moratorium	Active (Extended)	Moratorium renewed multiple times to study risks and safety; public hearings held. blackdiamondwa.gov +1	Renewed February 2025 (Ord 25-1219); Extended September 2025 (until ~March 2026)

Chehalis (Lewis County)	Moratorium	Unconfirmed/ Likely Expired	Reported 12-month moratorium for safety/zoning standards; no official confirmation found in searches or official site.	Reported early 2024 (Ord 1038-B; expired ~early 2025)
Covington	Moratorium	Active (Extended)	Temporary moratorium extended multiple times for study and regulations. covingtonwa.gov	Extended April 2025 (Ord 03-2025), October 2025, November 2025 (until ~May 2026)
Ellensburg	Moratorium	Unconfirmed/ Future	Reported new 12-month emergency moratorium; no evidence found as of December 6, 2025—official site shows no related ordinances or discussions.	Reported February 18, 2026 (Ord 01-26; post-current date)
Enumclaw	Moratorium	Active	12-month moratorium adopted to review developer proposals and extensions; public hearing held.	Adopted April 2025 (Ord 2980/2809; until ~April 2026)
Kennewick (Benton County)	Moratorium	Unconfirmed/ Likely Expired	Reported moratorium on utility-scale BESS (>600 kWh) for safety/zoning; no confirmation or Ord 9958 found on official site.	Reported December 2023 (expired ~mid-2024)
La Conner	Proposed Moratorium	Denied/Tabled	Emergency moratorium proposed but tabled amid discussions; ongoing concerns. laconnercommunitynews.org	Proposed/Tabled June 2025
Maple Valley	Moratorium	Active	6-month moratorium adopted; public hearing on impacts. maplevalleywa.gov +3	Adopted July 14, 2025 (Ord O-25-854/O-12-1125; until ~January 2026); Hearing September 8, 2025
Moses Lake (Grant County)	Moratorium	Unconfirmed/ Likely Expired	Reported 12-month moratorium on utility-scale BESS; no confirmation or Ord 2952 found on official site.	Reported February 2024 (expired ~February 2025)
Mount Vernon	Moratorium	Active (Extended)	Emergency moratorium extended to study impacts and code changes. mountvernonwa.gov +2	Adopted May 29, 2025 (Ord 2025-009/3915); Extended July 2025 (until ~July 2026)
Pasco (Franklin County)	Restrictive Ordinance	Permanent Law/ Unconfirmed	Reported strict code with setbacks (e.g., 500 ft from residences, containment systems); functions as de facto restriction; no PMC 23.90 or details found on official site.	Reported Post-2023

Port Angeles	Discussion	Unconfirmed/ Future	Reported council briefing on BESS safety/regulations; no evidence found on official site.	Reported February 18, 2026 (post-current date)
Renton	Moratorium	Expired	Previous moratorium not renewed.	Expired October 2022
Seattle	Permit/ Code Requirements	Active	ESS questionnaire and permit intake required; SFD & SDCl guidance for all ESS installations.	Effective January 2024–Ongoing
Sedro-Woolley	Moratorium	Active	Indefinite moratorium until comprehensive plan completion; unanimous vote due to opposition to proposed BESS. fox13seattle.com	Enacted early 2025 (Ord 2025-01)
Snoqualmie	Discussion	Discussed/No Action	Community forums on 25-acre BESS proposal; no moratorium.	June 2024
Spokane Valley (Spokane County)	Restrictive Ordinance	Permanent Law/ Unconfirmed	Floodplain regs prohibit certain uses in 100-year floodplain; no explicit BESS prohibition or SMC 21.03.020 details confirmed on official site.	Reported Ongoing
Walla Walla (City)	Zoning Exclusion	Permanent Law/ Unconfirmed	Reported exclusion from Urban Growth Area; no council action 2024 found on official site.	Reported 2024

Counties in Washington State with BESS Actions (As of December 6, 2025)

County	Type	Status	Details	Dates/Citations
Benton	Moratorium	Expired	No recent extensions; lapsed, with EFSEC handling some projects.	Expired ~2025
Clark	Zoning Ban	Permanent Law/ Unconfirmed	Reported prohibition on utility-scale BESS in rural/residential zones (industrial only); no CCRC 40.260.070 or details found on official site.	Reported Late 2023
Franklin	Moratorium	Unconfirmed/ Likely Expired	Reported 12-month moratorium on utility-scale BESS; no Res 2024-67 found on official site.	Reported April 2024 (expired ~April 2025)
King (Unincorporated)	Restrictive Code	Permanent Law	Comprehensive regulations for BESS; consumer-scale allowed as accessory use; special use permit for larger systems. nwrealtor.com	Adopted October 2024 (Ord 2023-0263/KCC 21A.08.220)

Kitsap	Moratorium	Active	365-day moratorium with workplan for new regulations. kitsap.gov +5	Adopted June 11, 2025 (Ord 39-2025/639-2025/617-2025; until June 10, 2026)
Kittitas	Restrictive Ordinance/CUP Process	Permanent Law	Strict conditional use permit (CUP) process for utility-scale BESS; recent SEPA/CUP filings (e.g., Wind Ridge BESS). canada.constructconnect.com +2	Adopted 2024–Ongoing (KCC 17.90)
Klickitat	Moratorium/ Proposed Restrictions	Active (Extended)	6-month moratorium extended; proposes severe restrictions on industrial solar + BESS; PAC assisted development; prohibited in all zones pending ordinance. klickitatcounty.gov +1	Extended September 2, 2025 (Res 05225; until March 2, 2026); Proposed Hearing September 15, 2025
Lewis	Discussion	Unconfirmed/ Future	Reported commissioners discussed moratorium; no evidence or vote found on official site.	Reported February 24, 2026 (post-current date)
Skagit	Limited Moratorium	Expired	Interim moratorium on farmland energy projects (including BESS); lapsed with ongoing appeals; may prohibit large energy projects on vulnerable agricultural land (new finding from Sep 2024, but not a full moratorium renewal). cascadiadaily.com	Adopted September 23, 2024 (Ord 2024-030; expired ~March 2025); Hearing October 21, 2024
Thurston	Proposed Action	Denied	Specific BESS proposal rejected; workgroup developing model ordinances, significant opposition including public comments on thermal runaway risks. thurstoncountywa.gov +1	November 2025
Walla Walla	Moratorium	Unconfirmed/ Likely Expired	Reported 6-month moratorium on large-scale BESS; no Res 2024-045 found on official site.	Reported June 2024 (expired ~December 2024)
Whatcom	Moratorium	Unconfirmed/ Future	Reported 6-month emergency moratorium; no specific evidence or Ord 2025-069 found on official site as of December 6, 2025.	Reported December 10, 2025 (post-current date)
Yakima	Moratorium	Active (Likely Extended)	6-month moratorium on large BESS; extended for related solar rules; note: conflicting Res numbers (15-2025/64-2025) in reports, but unconfirmed—likely a typo, no details found. facebook.com +2	Adopted March 18, 2025; Extended July 2025

Tribes/Other Entities in Washington State with BESS Actions (As of December 6, 2025)

Entity	Type	Status	Details	Dates/ Citations
Swinomish Indian Tribal Community	Opposition	Active	Opposed Goldeneye BESS project in Skagit County due to threats to Hansen Creek restoration and salmon habitat; collaborated with other tribes and agencies. efsec.wa.gov	August 2024– Ongoing
Upper Skagit Indian Tribe	Opposition	Active	Joined opposition to BESS facilities in Skagit Valley (e.g., Goldeneye), citing environmental impacts on tribal lands and resources. facebook.com	September 2024– Ongoing
Skagitonians to Preserve Farmland (Community Group)	Opposition	Active	Objected to BESS proposals on farmland, emphasizing safety risks and environmental threats; urged state council rejection.	July 2025– Ongoing
Sedro-Woolley Residents (Petition via Change.org)	Opposition	Active	Petition against largest BESS in WA near Hansen Creek, citing fire, pollution, and salmon risks; thousands signed. facebook.com	August 2024– Ongoing
Rochester Residents (Thurston County)	Opposition	Active	Community concerns over "catastrophic" risks from proposed lithium-ion BESS; decision pending as of October 2025. chronline.com	October 2025– Ongoing
Mount Vernon Councilmember Joe Burns	Opposition	Active	Steadfast opposition to proposed BESS east of city; formal letter to EFSEC. electjoeburns.com	October 2025– Ongoing
Sedro-Woolley Mayor Julia Johnson	Opposition	Active	Urged governor to reject Goldeneye BESS due to fire and environmental risks. fox13seattle.com	August 2025– Ongoing

Appendix C — Alternate Energy Storage Solutions

There exist several Alternate Energy Storage Solutions, some of which are listed below.

Flow Battery (Redox Flow and Hybrid Flow)

These systems use two liquid electrolyte solutions to store energy, offering high cycle life and scalability, generally using non-flammable materials.

- ESS Inc.: Specializes in iron flow battery technology for utility-scale applications, with commercial products like the Energy Center and an operational project validated by third parties.
- Eos Energy Enterprises: Offers zinc-powered, aqueous zinc hybrid cathode battery systems, with the Z3 battery modules designed for 3-12 hour durations and proven in use with significant discharged energy in the field.
- Invinity Energy Systems: Provides vanadium flow battery solutions that are non-degrading and have a high throughput.
- Sumitomo Electric Industries: Involved in vanadium flow battery technology with operating projects.
- Cellcube: A technology provider in the energy storage industry, focused on vanadium flow batteries.
- Rongke Power (Dalian Rongke Power): Specializes in vanadium flow battery technology.
- Stryten Energy: Offers lead-acid and lithium-ion solutions, but also has non-lithium LDES options available.
- Voltstorage: Develops safe and sustainable flow battery storage systems.
- Redflow: An Australian company specializing in zinc-bromine flow batteries for stationary storage.
- Primus Power: Offers zinc-flow battery systems designed for grid-scale applications.

Thermal Energy Storage

These systems store energy as heat in various mediums (e.g., solid carbon, crushed rocks, molten salts) and release it as heat or electricity for industrial processes or power generation.

- Antora: Creates thermal batteries using solid carbon blocks to provide industrial heat and power with zero emissions.
- Brenmiller Thermal Energy Storage: Offers scalable thermal energy storage solutions using crushed rocks (bGen™ ZERO thermal battery).
- Rondo Energy: Creates thermal batteries using super-heated bricks (Rondo Heat Battery) to store renewable energy for industrial heat applications.
- 1414 Degrees: Develops silicon-based thermal energy storage technology (SiBox™).
- Malta: Develops a pumped heat energy storage system using molten salts.
- Kraft Block: Develops high-temperature thermal energy storage systems using industrial-grade materials

- Magaldi Power S.p.A.: Magaldi's system is a thermal energy storage system using sand (Magaldi Green Sand Battery)

Mechanical Energy Storage

These solutions store energy through physical movement or pressure.

- Energy Vault: Specializes in gravity-based energy storage solutions, which use robotics to lift and lower large composite blocks.
- Hydrostor: Specializes in Advanced Compressed Air Energy Storage (A-CAES), a technology for large-scale projects, with a 500 MW project in development.
- Energy Dome: Uses a CO₂-based energy storage system (liquid CO₂ battery) with a commercial plant already in operation.
- Rye Development: Focuses on developing traditional pumped-hydro storage projects
- Gravitricity: uses decommissioned mineshafts and gravity-based technology
- PowerSouth Energy Cooperative: has been operating a CAES since 1991 which provides 110MW of power for up to 26 hours (2,860MWH).

Other Long Duration Energy Storage Technologies

- Enervenue: Develops metal-hydrogen battery technology for long-duration storage.
- Form Energy: Develops iron-air batteries for multi-day storage.
- Altris/Northvolt: Developing sodium-ion battery technology, seen as a commercially mature alternative to lithium-ion for energy storage systems.

In the Future

Soon to be available energy storage solutions- These companies' technology is either still in earlier stages of commercialization, not broadly available yet, or they serve very niche markets that do not yet have a widespread "*available now*" product line:

- Ice Energy: Focuses on localized thermal energy storage for air conditioning units rather than large-scale grid LDES.
- Mainspring Energy, TechnipFMC, Ceres, Magaldi, Sumitomo SHI FW (SFW), Build To Zero, Energy Intel, i Battery, TerraFlow Energy, Sens, Arecor, Echogen, Hyme, Noon Energy, Quidnet, and XL Batteries:

Appendix D — References

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General

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King County – Comprehensive Plan 2026 Docket Request #4

Docket #4: Local Agricultural & Forest Product Processing



Outlook

KCCP Docket Item Request--Local Agricultural & Forest Product Processing

From Peter Rimbos <primbos@comcast.net>

Date Fri 12/19/2025 11:00 AM

To Compplan <compplan@kingcounty.gov>

Cc Compplan <compplan@kingcounty.gov>; Jensen, Chris (they/them) <Chris.Jensen@kingcounty.gov>

 2 attachments (502 KB)

Cover Letter--KCCP D.I. Req--Local Ag & Forest Product Processing.pdf; D.I. Request--Local Ag & Forest Product Processing.pdf;

[EXTERNAL Email Notice!] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Please see attached Cover Letter and Subject KCCP Docket Item Request. Please acknowledge receipt.

Peter Rimbos

Coordinator, Joint Team (King County Rural & Urban Unincorporated Area Organizations)

Greater Maple Valley Unincorporated Area Council (GMVUAC)

primbos@comcast.net

"To know and not to do is not to know."-- Chinese proverb

Please consider our shared environment before printing.

Docket Form

King County Comprehensive Plan

Date	December 19, 2025		
I. Applicant Information			
Name <i>(if multiple, list all)</i>	Ten Rural Area Organizations —Enumclaw Plateau Community Association (EPCA); Four Creeks Unincorporated Area Council (FCUAC); Friends of Sammamish Valley (FofSV); Greater Maple Valley Unincorporated Area Council (GMVUAC); Green River Coalition (GRC); Green Valley/Lake Holm Association (GV/LHA); Hollywood Hills Association (HHA); Soos Creek Area Response (SCAR); and Upper Bear Creek Unincorporated Area Council (UBCUAC)—This listing represents a <i>“rural” subset</i> of the Joint Team of King County Rural and Urban Unincorporated Area Organizations.		
Property Address	Submitted by: Peter Rimbos, Coordinator of the Joint Team		
Phone	425.432.1332	Email	primbos@comcast.net
Council District	3, 7, 8, and 9 (i.e., districts with lands outside the Urban Growth Area)		

II. Type of Request			
Comp. Plan Policy or Text Amendment	Yes	Land Use Designation Amendment	
Development Regulation Amendment	Yes	Zoning Classification Amendment	
Four to One Proposal		Other	
Has this been submitted previously?	Yes	If yes, please indicate the year	2021
If yes, what was the outcome?	In 2021 the Joint Rural Team (now Joint Team) submitted a docket request regarding all materials processing outside designated urban growth areas, focusing on King County Comprehensive Plan (KCCP) Policy R-337. This docket item request reduces this scope: - It focuses on agricultural and forest products. - It looks to standardize usage and/or create distinct terms for the several usages of <i>“Rural Area.”</i> - It shifts land-use definitions to <i>“Forest products”</i> and <i>“Materials processing.”</i> - It reorganizes the several topics contained in the current Policy R-337.		

III. Amendments to Comprehensive Plan Policy or Text, or Development Regulations
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**King County**

Additional Information for 2024 Update to the King County Comprehensive Plan: Over the coming months, King County will be developing a scope of work for the next update. If you have ideas and suggestions, please share them! And, consider joining the Comprehensive Plan [*mailing list*](#) to get updates as we move towards key milestones in the project. Thank you for participating in the next update as we plan for the coming 20 years!

Requested Change?	1. KCCP Policy R-337: Require that processing of agricultural and forest products is limited to products grown in King County. 2. Zoning code definitions: Replace the definition of “Forest product sales” with “Forest products” 3. Zoning code definitions: Replace the definition of “Materials processing facility” with “materials processing.” 4. KCCP and zoning code: Standardize the definition and usage of the term “Rural Area.” 5. KCCP: Move second half of Policy R-337 to R-336.
If addressed already in the plan or code, what change is needed?	See Attachment A
Why is this amendment needed?	See Attachment A
What are the expected or desired outcomes of this change?	Greater certainty and clarity for applicants, King County staff, and the public.
What are the potential positive or negative impacts of this change?	On the positive side, bright lines, clear definitions, and consistent usage of technical terms make compliance easier for businesses, and enforcement easier for county staff. King County’s residents, salmon, and environment benefit from a cleaner environment and adherence to the letter and spirit of the Growth Management Act (GMA). The negative impacts are decreased revenues for speculators seeking to profit from rural land prices.
How is this amendment consistent with the Growth Management Act?	The GMA distinguishes urban from rural land and uses, mandates maintenance and enhancement of natural resource industries, and discourages incompatible uses adjacent to resource lands (RCW 36.70A.020(8)). The goals of this docket item request are to sharpen Comp Plan policy R-337, sharpen the definitions of forest and agricultural products processing, and ensure that processing done outside the urban growth area (UGA) is rural in nature and restricted to products grown in King County.

IV. Amendments to Property Specific Land Use and Zoning	
General Location	Lands outside King County’s designated urban growth areas.
Total Acres	N/A

**King County**

Tax Parcel ID (if multiple, list all)	N/A		
Current Land Use Designation	Agricultural, Forestry, Mining, Rural Area 2.5-10 ac/du	Requested Land Use Designation Amendment	N/A
Current Zoning Classification	A, F, M, RA-2.5 to RA-10	Requested Zoning Classification	N/A
Is there a Special District Overlay or Property Development Condition?	Possibly, for some parcels		
Requested Change and Rationale	Countywide change, see Attachments A and B		
Proposed Use of Parcel	N/A		
How will change affect adjoining parcels?	N/A		
How is change compatible with the surrounding area?	The goal of the requested changes is to align with the GMA's mandate to maintain and enhance natural resource-based industries and discourage incompatible uses. Our subsidiary goal is to clarify language to reduce confusion and misinterpretation.		
Additional information?	Our proposed changes are detailed in Attachments A and B.		

For property owner representatives:			
Name	Prepared by Susan Boundy-Sanders, Government Relations focal for the Joint Team	Email	sbsand@hotmail.com
Phone	425.591.3672	Click to testify you have authorization to submit a docket for this property owner.	N/A

How to Submit a Docket Form:

- Save the Form to your computer, fill it out, and then email it to: compplan@kingcounty.gov.
- Due to the covid pandemic, paper copies are not being accepted.

Background on King County Docket Process

The Docket process responds to the requirements of the Growth Management Act at 36.70A.470 and is codified at the King County Code Title 20.18.107 and .140. Docketing means compiling and maintain a list of suggested changes to the comprehensive plan or development regulations in a manner that ensures suggested changes are considered by the county and are available for review by the public. June 30 is the annual docket deadline. There is no fee for submitting the docket form. To download this form electronically or learn more about the Docket Process, visit: <http://www.kingcounty.gov/compplan/>

Attachment A — King County Comprehensive Plan Policy R-337 and Related Zoning Code 21A

The four sections starting on page 5 describe aspects of the King County Comprehensive Plan (KCCP) for which we request the following changes to clarify intent and avoid confusion related to Policy **R-337**:

1. Restrict materials processing of agricultural and forest products in the Rural Area to products grown in King County;
2. Define “*forest products*” in the KCCP and/or zoning code;
3. Define “*materials processing*” in the KCCP and/or zoning code;
4. Standardize the usage of terms of art “*Rural Area*,” “*RA*,” and “*ra*,” and
5. Move the second half of Policy **R-337** to Policy **R-336**.

Our list of requested changes focuses on KCCP Policy **R-337**. Currently, **R-337** combines three different topics that have little to do with one another, and that individually are poorly defined. In order to provide a frame of reference for the rest of this docket request, below we present current language, problems we perceive, and solutions we propose:

Current Policy Language:

- “R-336** The creation of new Industrial zoned lands in the Rural Area shall be limited to those that have long been used for industrial purposes, that do not have potential for conversion to residential use due to a historic designation, and that may be accessed directly from State Route 169.
- R-337** Rural Public Infrastructure Maintenance Facilities, and agriculture and forestry product processing should be allowed in the Rural Area. Other new industrial developments in the Rural Area shall be allowed only on existing Industrial-zoned properties in Rural Towns and the Preston Industrial Area.”

We have **highlighted** our concerns below, followed by discussion in the subsequent pages:

- “R-336** The creation of new Industrial zoned lands in the Rural Area shall be limited to those that have long been used for industrial purposes, that do not have potential for conversion to residential use due to a historic designation, and that may be accessed directly from State Route 169.
- R-337** Rural Public Infrastructure Maintenance Facilities, and agriculture and **forestry product** *[this is an undefined term]* **processing** *[this is an undefined term; from where is not specified, thus from unrestricted growing locations is implied]* should be allowed **in the Rural Area**. Other **new industrial developments in the Rural Area** shall be allowed only on existing Industrial-zoned properties in Rural Towns and the Preston Industrial Area.”

Proposed Changes (editorial markup shown):

- “R-336** The creation of new Industrial zoned lands in the ~~Rural Area~~ outside designated urban growth areas shall be limited to those that have long been used for industrial purposes, that do not have potential for conversion to residential use due to a historic designation, and that may be accessed directly from State Route 169. Other new industrial developments outside designated urban growth areas shall be allowed only on existing Industrial-zoned properties in Rural Towns and the Preston Industrial Area.
- R-337** Rural Public Infrastructure Maintenance Facilities, and materials processing of agriculture and forestry products processing grown in King County should be allowed in the ~~Rural Area~~ outside the designated urban growth area. ~~Other new industrial developments in the Rural Area shall be allowed only on existing Industrial-zoned properties in Rural Towns and the Preston Industrial Area.”~~

Proposed Changes (clean copy shown):

- “R-336** The creation of new Industrial zoned lands outside designated urban growth areas shall be limited to those that have long been used for industrial purposes, that do not have potential for conversion to residential use due to a historic designation, and that may be accessed directly from State Route 169. Other new industrial developments outside designated urban growth areas shall be allowed only on existing Industrial-zoned properties in Rural Towns and the Preston Industrial Area.
- R-337** Rural Public Infrastructure Maintenance Facilities, and materials processing of agriculture and forestry products grown in King County should be allowed outside the designated urban growth area.”

Explanations of changes requested

The four changes below are *cumulative*. The “*proposed solution*” for each change is given in its designated section, in standard editorial markup notation. Each proposed change then appears, also in markup, in the subsequent proposed changes.

Change 1. Outside designated urban growth areas, restrict processing of agricultural and forest products to products grown in King County.

Currently, **R-337** endorses agricultural and forestry product processing in “*the Rural Area*” (terminology discussed later), but does not restrict them to locally grown agricultural and forest products. We request language be added restricting processing to products grown in King County, for the purpose of preventing use of King County’s rural lands for commercial uses with no tie to the land on which they occur. This restriction is already present in the development conditions for materials processing facilities in F and M zones in the zoning code (**Title 21A.08.080**); adding it to the **R-337** makes the intent more explicit and more consistent by adding agricultural products.

Proposed solution:

- In **R-337**, add *sourcing restrictions* to the agricultural and forestry products processed in outside King County’s designated urban growth area:

“... and **materials processing of agriculture and forestry products processing grown in King County**...”
- As a *companion*, modify the zoning code **Title 21A.08.080.B.16** to reflect the *same* sourcing restrictions as proposed for KCCP Policy **R-337** above:

“**e. processed fill material, as defined in K.C.C. chapter 16.82, are primarily to be processed and stored, is exclusively from the King County rural area and natural resource lands; and**”

Clean copy of the above proposed solution:

“e. fill material, as defined in K.C.C. chapter 16.82, to be processed and stored is exclusively from the King County rural area and natural resource lands; and”

Please note that definitions of “*Fill*” in **Title 16.82** and “*Materials processing facility*” in **Title 21A.06.742** discuss fill, recycling, and disposal as their context. Herein, we employ that assumption and, as a consequence, this docket request is not about sawmills or canneries or cheesemaking.



Change 2. Replace definition of “*Forest product sales*” with “*Forest products*”

King County zoning code defines “*Forest product sales*” (used in **Title 21A.08.070 Retail land uses**), but not “*Forest products*”– the term that is relevant in KCCP Policy **R-337**. Defining “*Forest products*” expands the usefulness of the term, not just to sales, but also to production and processing.

Proposed solution: Replace the definition for “*Forest product sales*” with “*Forest products:*”

“21A.06.525 Forest products ~~sales~~. Forest products ~~sales~~: the sale of goods produced, extracted, consumed, gathered or harvested from a forest including, but not limited to:

- A. Trees;**
- B. Wood chips;**
- C. Logs;**
- D. Fuelwood;**
- E. Cones;**
- F. Christmas trees;**
- G. Berries;**
- H. Herbs; or**
- I. Mushrooms. (Ord. 10870 § 145, 1993; 2026 Ordinance TBD)”**

Notes:

To be clear,

- This requested change to the zoning code assumes that the terms in KCCP Policy **R-337** would use definitions located in the zoning code. If that’s not correct, please adjust the request as appropriate.
- The KCCP uses the term “*forestry*,” while the zoning code uses the term “*forest*.” We have used the zoning code’s terminology, on the assumption that the definition would be located there. Again, please adjust as appropriate.

Change 3. Replace the definition of “*Materials processing facility*” with “*Materials processing*”

King County zoning code defines “*Materials processing facility*” (**Title 21A.06.742**), but not “*Materials processing*.” Replacing the facility definition with the processing definition expands the applicability to the use, not just the facility.

Proposed solution: Replace *the* definition of “*Materials processing facility*” with “*Materials processing*.”

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 c~~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 for fill, recycling, or disposal. Materials processing does not include value-added processing, addition of other materials, or packaging. site; and
B. ~~A site or establishment lawfully established before October 10, 2004, as an interim recycling facility for processing source separated, organic materials. (2026 Ordinance TBD).~~

Clean copy of the above proposed solution:

21A.06.742 Materials processing. Materials processing facility:
Crushing, grinding, pulverizing or otherwise preparing earth materials, vegetation, organic waste, construction and demolition materials or source separated organic materials for fill, recycling, or disposal. Materials processing does not include value-added processing, addition of other materials, or packaging. (2026 Ordinance TBD).

Change 4. Standardize usage of “Rural Area,” “RA,” and “ra”

The terms “Rural Area,” “RA,” and “ra” have different usages *between and within* King County’s land-use documents. “Rural Area” also is used in PSRC’s *VISION 2050* with yet a different definition. We provide the matrix of usages below as a summary (see **Attachment B**, which provides the same matrix, provides a detailed discussion of all the terminology).

Zones	A	F	M	RA-NN	R-NN	NB	CB	O	I
WA State Growth Management Act (GMA)	<i>The terms “rural lands” and “rural area” appear as informal, plain-language text in RCW 36.70A GROWTH MANAGEMENT—PLANNING BY SELECTED COUNTIES AND CITIES, but “Rural Area” and “RA” do <u>not</u> appear as defined terms.</i>								
PSRC VISION 2050	✓	✓	✓	✓	✓	✓	✓	✓	✓
King County Countywide Planning Policies (CPPs)			✓	✓	✓	✓	✓	✓	✓
KCCP Glossary				✓	✓	✓	✓	✓	✓
KCCP Table: Land Use Designations				✓					
KCCP map layer in iMap. Two usages, similar but not equivalent: 1. “ra” in Countywide growth pattern layer 2. “ra” in Comp plan land use layer				✓ two different usages					
King County Zoning Code				✓					

The different usages of “Rural Area” are confusing, but more importantly they potentially lead to unintended consequences in legislation, permitting, and enforcement.

Proposed solution:

- With regard to **R-337**, we propose that:
 - Agricultural resource land should be restricted to agricultural uses. The language of **R-337** should not imply, for example, that a wood-chipping operation using material transported in from off-site is a permitted use.
- Throughout the KCCP, modifiers or alternative terms should replace most or all instances of “Rural Area” and “RA.” Some possibilities include:
 - “Rural Area Geography” (a defined term in the KCCP)
 - “Rural Area Zoning” (a defined term in the KCCP)
 - “Lands outside designated urban growth areas”
 - Etc.
- In the second sentence of **R-337**, replacing “Rural Area” with “outside the urban growth areas” reduces confusion:



King County

“Rural Public Infrastructure Maintenance Facilities, and materials processing of agriculture and forestry products processing grown in King County should be allowed in the Rural Area outside the designated urban growth area. . .”

Change 5. Move second half of Comp Plan policy R-337 to R-336.

KCCP Policy **R-336** and the second sentence of **R-337** are about the location of industrial developments. It seems possible that this sentence was placed in **R-337** in error and that from the beginning it should have been in **R-336**.

Proposed solution: Moving the sentence appears to be housekeeping:

“R-336 The creation of new Industrial zoned lands ~~in the Rural Area outside designated urban growth areas~~ shall be limited to those that have long been used for industrial purposes, that do not have potential for conversion to residential use due to a historic designation, and that may be accessed directly from State Route 169. Other new industrial developments outside designated urban growth areas shall be allowed only on existing Industrial-zoned properties in Rural Towns and the Preston Industrial Area.

R-337 Rural Public Infrastructure Maintenance Facilities, and agriculture and forestry products processing, restricted to products grown on-site, should be allowed in the Rural Area outside designated urban growth areas. ~~Other new industrial developments in the Rural Area shall be allowed only on existing Industrial-zoned properties in Rural Towns and the Preston Industrial Area.”~~

For convenience, below are clean copies of each that were shown earlier.

“R-336 The creation of new Industrial zoned lands outside designated urban growth areas shall be limited to those that have long been used for industrial purposes, that do not have potential for conversion to residential use due to a historic designation, and that may be accessed directly from State Route 169. Other new industrial developments outside designated urban growth areas shall be allowed only on existing Industrial-zoned properties in Rural Towns and the Preston Industrial Area.

R-337 Rural Public Infrastructure Maintenance Facilities, and materials processing of agriculture and forestry products grown in King County should be allowed outside the designated urban growth area.”

In closing

Thank you for your consideration of our requested changes herein to KCCP Policy **R-337**, the rest of the KCCP, and various sections in the zoning code **21A**.

Attachment B — Variations in Usage of “Rural Area,” “RA,” and “ra”

This attachment compares the differences in usage of the term “Rural Area” and abbreviations “RA” and “ra” between and within state, regional, and county plans and codes. The subtext is that these terms--technical terms of art--have a great enough variation in meanings, even within a single plan or set of code, that they engender confusion and promote errors and abuse.

Below is a comparison matrix of what is included in “Rural Area” and “RA” in various plans and code. Details are provided below. One important point is that the King County Comprehensive Plan is *not internally consistent*, let alone consistent with other documents. Another is that there is a mismatch between King County’s use of “Rural Area” and “RA” in its Comprehensive Plan and its zoning code, again opening the way to confusion, errors, and abuse.

Although this table is identical to the table in **Attachment A**, we provide a detailed discussion of terminology, etc. in the remainder of this attachment.

Zones	A	F	M	RA-NN	R-NN	NB	CB	O	I
WA State Growth Management Act (GMA)	<i>The terms “rural lands” and “rural area” appear as informal, plain-language text in RCW 36.70A GROWTH MANAGEMENT—PLANNING BY SELECTED COUNTIES AND CITIES, but “Rural Area” and “RA” do <u>not</u> appear as defined terms.</i>								
PSRC VISION 2050	✓	✓	✓	✓	✓	✓	✓	✓	✓
King County Countywide Planning Policies (CPPs)			✓	✓	✓	✓	✓	✓	✓
KCCP Glossary				✓	✓	✓	✓	✓	✓
KCCP Table: Land Use Designations				✓					
KCCP map layer in iMap. Two usages, similar but not equivalent: 1. “ra” in Countywide growth pattern layer 2. “ra” in Comp plan land use layer				✓ two different usages					
King County Zoning Code				✓					

RCW/GMA

- Definitions: The defined and capitalized term “Rural Area” does not appear in the GMA (**RCW 36.70A.030**).
- “Rural lands” is an informal, plain-language term introduced in the GMA’s Findings (**RCW 36.70A.011**), even before its Planning goals (**RCW 36.70A.020**).

**King County**

- Comprehensive plans must contain a “*rural element*” which discusses all lands that are not urban growth areas, A, F, or M (**RCW 36.70A.070(5)**).
- The term “*rural area*” appears in **RCW 36.70A.070 Comprehensive Plans – Mandatory elements** not as a term of art, but as plain-language text.

PSRC VISION 2050

- Glossary: “**Rural Area** — Outside the urban growth area, rural lands contain a mix of low-density residential development, agriculture, forests, open space, and natural areas, as well as recreation uses. Counties and adjacent small towns provide a limited number of public services to rural residents. Also a defined regional geography in VISION 2050.”
- Glossary: “**Regional Geography** — Groupings of cities and unincorporated areas used for planning and growth distribution purposes in the Regional Growth Strategy. Regional geographies include Metropolitan Cities, Core Cities, High Capacity Transit (HCT) Communities, Cities & Towns, Urban Unincorporated Areas, Rural, Resource Lands, Indian Reservation Lands, and Major Military Installations.”

KC CPPs

- Glossary (p. 118): “**Rural Area**: Designated area outside the Urban Growth Area that is characterized by small-scale farming and forestry and low-density residential development. See Appendix 1: Generalized Land Use Categories Map.”
- Appendix 1: Generalized Land Use Categories Map (p. 71): https://cdn.kingcounty.gov/-/media/king-county/depts/executive/performance-strategy-budget/regional-planning/cpps/kingcounty-cpps-ord_19946-update.pdf? This map uses the term “Rural,” not “Rural Area,” and the Rural designation excludes designated urban growth areas, Agricultural Production Districts, Forest Production, and Tribal land-use categories.

KCCP

- Glossary (p. 12-20): “**Rural Area Geography (See also Rural Area Zoning)** The Rural Area refers collectively to the geography that primarily contains the following land use categories: Rural Towns, Rural Neighborhood Commercial Centers, and Rural Area in unincorporated King County. The Rural Area geography also includes a limited amount of acreage with the Industrial land use designation. The Rural Area geography does not include designated Natural Resource Lands, although resource activities occur in it. The Rural Area contains very low-density residential development, commercial and industrial development, farms, forests, watersheds crucial for both fisheries and flood hazard management, mining areas and towns, historic sites and buildings, archaeological sites, and regionally important recreation areas. (See Chapter 3, Rural Area & Natural Resource Lands).”
- Glossary (p. 12-20): “**Rural Area Zoning** Rural Area (RA) zoning or zones refers to the Rural Area-2.5, Rural Area-5, Rural Area-10, and Rural Area-20 zoning classifications. This zoning is meant to provide an area-wide, long-term rural character and to minimize land use conflicts with nearby agricultural, forest or mineral extraction

production districts. These purposes are accomplished by: 1) limiting residential densities and permitted uses to those that are compatible with rural character and nearby resource production districts and are able to be adequately supported by rural service levels; 2) allowing small-scale farming and forestry activities and tourism and recreation uses which can be supported by rural service levels and which are compatible with rural character; and 3) increasing required setbacks to minimize conflicts with adjacent agriculture, forest, or mineral zones.”

- Land Use Designation and Zoning Classifications (p. 12-6):

KCCP Land Use Designations	Zoning Classifications*
Unincorporated Activity Center (ac)	R-12, R-18, R-24, R-48, NB, CB, O, I
Community Business Center (cb)	NB, CB, O
Neighborhood Business Center (nb)	NB, O
Commercial Outside of Centers (co)	NB, CB, RB, O, - this is the range of existing zoning in place when the Comprehensive Plan was adopted
Urban Residential, High (uh)	R-18, R-24, R-48
Urban Residential, Medium (um)	R-4, R-6, R-8, R-12
Urban Residential, Low (ul)	R-1
Urban Growth Area for Cities in Rural Area (rx)	UR
Rural Town (rt)	R-1, R-4, R-6, R-8, R-12, R-18, R-24, R-48, NB, CB, O, I
Rural Neighborhood Commercial Center (rn)	NB
Rural Area (ra)	RA-2.5, RA-5, RA-10, RA-20
Industrial (i)	I
Forestry (f)	F, M
Agriculture (ag)	A-10, A-35
Mining (m)	M
Greenbelt/Urban Separator (gb)	R-1
King County Open Space System (os)	All zones
Other Parks/Wilderness (op)	All zones

* This is the range of zoning that may be allowed within each comprehensive plan land use designation subject to Comprehensive Plan and subarea plan policies. Actual zoning on a specific property is determined through the area zoning process or through site specific rezone application.

Abbreviation	Zoning Classifications
A	Agricultural
F	Forest
M	Mineral
RA	Rural Area
UR	Urban Reserve
R	Urban Residential
NB	Neighborhood Business
CB	Community Business
RB	Regional Business
O	Office
I	Industrial

King County Zoning Code

- Purpose statement for the rural zone (**Title 21A.04.060**):

21A.04.060 Rural zone.

A. The purpose of the rural zone (RA) is to provide for an area-wide long-term rural character and to minimize land use conflicts with nearby agricultural or forest production districts or mineral extraction sites. These purposes are accomplished by:

1. Limiting residential densities and allowed uses to those that are compatible with rural character and nearby resource production districts and sites and are able to be adequately supported by rural service levels;
2. Allowing small-scale farming and forestry activities and tourism and recreation uses that can be supported by rural service levels and that are compatible with rural character;
3. Increasing required setbacks to minimize conflicts with adjacent agriculture, forest or mineral zones; and
4. Requiring tracts created through clustering to be designated as permanent natural area or as permanent resource use.

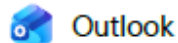
B. Use of this zone is appropriate in the rural area designated by the Comprehensive Plan as follows:

1. RA-2.5 in the rural area where the predominant lot pattern is below five acres in size for lots established before the adoption of the 1994 Comprehensive Plan;
2. RA-5 in the rural area where:
 - a. the land is more than a quarter mile from designated natural resource lands;
 - b. the land is physically suitable for development with minimal critical areas; and

- c. the density would not harm or diminish the surrounding area, burden infrastructure, increase development pressure, or be inconsistent with the development patterns promoted by the Comprehensive Plan;
- 3.a. (numbering sic) RA-10 in the rural area where:
 - (1) the land is adjacent to or within one-quarter mile of designated natural resource lands;
 - (2) the land contains moderate or significant critical areas; or
 - (3) a density of one dwelling unit per five acres would harm or diminish the surrounding area, burden infrastructure, increase development pressure, or be inconsistent with the development patterns promoted by the Comprehensive Plan; and
- b. On Vashon-Maury Island, RA-10 zoning shall be maintained on areas zoned RA-10 as of 1994 and on areas with a predominant lot size of ten acres or greater that are identified on the Areas Highly Susceptible to Groundwater Contamination map; and
- 4. RA-20 in Rural Forest Focus Areas designated by the King County Comprehensive Plan. This level of density should also be considered when a larger parcel with an agricultural, forestry, or mineral land use designation is redesignated to a rural area land use designation. (Ord. 19881 § 76, 2024: Ord. 14045 § 1, 2001: Ord. 11621 § 10, 1994: Ord. 10870 § 27, 1993).

King County – Comprehensive Plan 2026 Docket Request #5

Docket #5: Mining Reclamation Periodic Reviews



KCCP Docket Item Request--Mining Operations Periodic Reviews

From Peter Rimbos <primbos@comcast.net>

Date Fri 12/19/2025 10:59 AM

To Compplan <compplan@kingcounty.gov>

Cc Compplan <compplan@kingcounty.gov>; Jensen, Chris (they/them) <Chris.Jensen@kingcounty.gov>

2 attachments (397 KB)

Cover Letter--KCCP D.I. Req--Mining Operations Periodic Reviews.pdf; Docket Request--Mining Operation Periodic Reviews.pdf;

[EXTERNAL Email Notice!] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Please see attached Cover Letter and Subject KCCP Docket Item Request. Please acknowledge receipt.

Peter Rimbos

Coordinator, Joint Team (King County Rural & Urban Unincorporated Area Organizations)

Greater Maple Valley Unincorporated Area Council (GMVUAC)

primbos@comcast.net

"To know and not to do is not to know."-- Chinese proverb

Please consider our shared environment before printing.

Docket Form

King County Comprehensive Plan

Date	December 19, 2025		
I. Applicant Information			
Name <i>(if multiple, list all)</i>	Ten Rural Area Organizations —Enumclaw Plateau Community Association (EPCA); Four Creeks Unincorporated Area Council (FCUAC); Friends of Sammamish Valley (FofSV); Greater Maple Valley Unincorporated Area Council (GMVUAC); Green River Coalition (GRC); Green Valley/Lake Holm Association (GV/LHA); Hollywood Hills Association (HHA); Soos Creek Area Response (SCAR); and Upper Bear Creek Unincorporated Area Council (UBCUAC)—This listing represents a <i>“rural” subset</i> of the Joint Team of King County Rural and Urban Unincorporated Area Organizations.		
Property Address	N/A		
Phone	N/A	Email	N/A
Council District	3, 8, and 9 (i.e., all non-urban areas)		

II. Type of Request			
Comp. Plan Policy or Text Amendment	Yes	Land Use Designation Amendment	
Development Regulation Amendment	Yes	Zoning Classification Amendment	
Four to One Proposal		Other	
Has this been submitted previously?	Yes	If yes, please indicate the year	2021
If yes, what was the outcome?	The 2022 Docket Report explained why our 2021 Docket Item Request on “Periodic Reviews” was rejected, we have since modified our request (herein) based on the rationale given at that time [see attached].		

III. Amendments to Comprehensive Plan Policy or Text, or Development Regulations	
Additional Information for 2024 Update to the King County Comprehensive Plan: Over the coming months, King County will be developing a scope of work for the next update. If you have ideas and suggestions, please share them! And, consider joining the Comprehensive Plan <u>mailing list</u> to get updates as we move towards key milestones in the project. Thank you for participating in the next update as we plan for the coming 20 years!	
Requested Change?	Periodic Reviews of mining sites conducted by the King County Department of Local Services, Permitting Division should include the Reclamation phases. [See attached]

If addressed already in the plan or code, what change is needed?	Both existing Plan and Code need revisions. [See attached]
Why is this amendment needed?	Mine site reclamation is part of most, if not all, mineral extraction permits, consequently it should be specifically stated to be subject to plan- and code-required Periodic Reviews.
What are the expected or desired outcomes of this change?	Mine site reclamation will be properly monitored and successful in returning lands to pre-mining conditions, as required.
What are the potential positive or negative impacts of this change?	There are no negative impacts.
How is this amendment consistent with the Growth Management Act?	It is <u>directly</u> consistent with the GMA to ensure mine site reclamation is properly monitored and successful.

IV. Amendments to Property Specific Land Use and Zoning [N/A]			
General Location			
Total Acres			
Tax Parcel ID (if multiple, list all)			
Current Land Use Designation	Click here	Requested Land Use Designation Amendment	Click here
Current Zoning Classification	Click here	Requested Zoning Classification	Click here
Is there a Special District Overlay or Property Development Condition?			
Requested Change and Rationale			
Proposed Use of Parcel			
How will change affect adjoining parcels?			
How is change compatible with the surrounding area?			
Additional information?			

For property owner representatives:			
Name		Email	
Phone		Click to testify you have authorization to submit a docket for this property owner.	

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REQUESTED CHANGE

As defined by King County Code **Title 16.82 Definitions, T.:** *“Reclamation”*

“...means the final grading and restoration of a site to establish the vegetative cover, soil surface water, and groundwater conditions appropriate to accommodate and sustain all allowed uses of the proposed zone appropriate for the site.”

Reclamation of mining sites must be part of Periodic Reviews conducted by the King County Department of Local Services, Permitting Division. In fact, such reviews should be conducted until reclamation is complete and the site is returned to forestry or other end-use as required by law. [see **SPECIFIC CHANGES REQUESTED** below for specific KCCP Policy and KC Code Title language changes.]

Clearly, reclamation is a critical component of every mineral extraction permit (even though the approved extraction permit may specify that *‘no reclamation is required’*). While the actual extraction may have been completed, the job is not finished, nor the mining permit completed, until such time as all aspects of the proscribed reclamation have been completed and approved. To terminate the mandated periodic reviews prior to completion and approval of the mandated reclamation leaves some projects with NO periodic reviews, and the public with NO opportunity to review and comment on these projects.

Using Reserve Silica in south King County as an example, mineral extraction was completed in 2007, and the required reclamation phase has been going on for over 18 years – and continues today. And over this period, there have been MANY gross violations of Permit Conditions, County Regulations and Code, and State Law. And yet current Code would indicate no periodic reviews, nor public review/comment opportunities are necessary for these, oftentimes, massive operations. King County Code requires that the GRDE permit stays in place for the mining and reclamation, until the reclamation is completed. Mining and reclamation generally takes decades. The original and updated (through around 2010) mining plans extended out to 2035. The only reason that date got truncated to an earlier timeline is that Reserve Silica decided to stop silica sand mining in favor of running a *Solid Waste Disposal site*, and later a proposed housing development (unanimously rejected by the King County Council), then back to a *“disposal site,”* when it couldn't get its requested rezone through the King County Council.

Without 5-yr periodic reviews, far too much can and does *“slip through the cracks,”* and, as we have seen in numerous cases, agency institutional memories are wanting after a decade or so. Please note that when the WA State Department of Natural Resources (DNR) is monitoring a reclamation plan, it requires a detailed annual report on the reclamation to assure continuity and that goals and milestones are being met (RCW [78.44.181](#) **Reclamation—Report by permit holder on anniversary date.**). It also helps to keep the paperwork/records in order for things critical to reclamation, so that a compartmentalized and contiguous record set for the entire timeline of the mine and



King County

reclamation, including specific context for the records, too often missing absent a continuous/periodic review over the entirety of the operation. We have repeatedly seen, that without such reviews, context is missing, records become fragmented, and operators/owners get away with virtually anything they want to do, and the Public and often King County are left in the dark.

The cost of 5-year Periodic Reviews should be calculated based on the proposed length of the reclamation plan, and guaranteed through the reclamation bond. As the reviews are completed, or the proposed time for reclamation is truncated or extended, the reclamation bond can be *recalculated* on a 5-year basis (if not something noted and needing correction under the annual review). This would make the 5-year periodic review process applicable to both mining and reclamation, as well as the source of their funding. It would also be written into the cost of doing mining up front, so there are no surprises to the mine owner, county, or the public as to where reclamation is at, at any give point. In addition, the public would have access, at least every 5-years, to a comprehensive review of reclamation progress, activities of both the mine operations and agency operation during that time span, and how the mine owner is doing on permit compliance and the agency is doing on enforcement.

Even if such Periodic Reviews are expensive, they are not only just a reasonable cost for the mine owner/operator to bear, but also a necessity for the County to meet its obligations under KC Code (as well as related state and federal statutes) to assure continuity, accountability, and completion of the restoration as per the codes over long time spans. Should such reviews be added to the bond calculation requirements, then the mine owner/operator knows exactly what costs they are committing to (so can pencil out the costs versus potential profits and commit to it prior to starting mining).

It is critical to recognize that our request herein covers BOTH the State Department of Natural Resources (DNR) lead process and the King County lead process, as we discuss further in the next section under **Title 21A.22.081 Reclamation**. Otherwise what could, and does happen, is that King County implements reclamation as a commercial landfill operation, rather than meeting the requirements of **21A.22.081 Reclamation. C.** (*Mineral extraction and coal mine operations that are not required to have an approved reclamation plan under chapter 78.44 RCW shall meet the following requirements...*), thus allowing operation on a basis of maximizing the commercial landfilling potential (as driven by the mine owner/operator maximizing profits), rather than limiting fill to just those amounts necessary to meet the reclamation requirements driven by the King County Code.

SPECIFIC CHANGES REQUESTED

We call for **changes** to *both* King County Code and King County Comprehensive Plan Policy as detailed below with standard editing notation.

King County Code:

Title 21A.22.050 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 / **reclamation**, coal mine, materials processing facility or fossil fuel facility site design, operating standards and financial responsibility at five-year intervals from the date of issuance of the permit **through completion of reclamation**.

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 **and reclamation** 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. 19601 § 2, 2023: Ord. 19146 § 59, 2020: Ord. 15032 § 28, 2004: Ord. 11157 § 21, 1993: Ord. 10870 § 443, 1993).

It should be noted several types of reclamation scenarios—depending on whether or not **78.4 RCW Surface Mining** applies—are covered by:

Title 21A.22.081 Reclamation

A. A valid clearing and grading permit shall be maintained on a mineral extraction or coal mine site until the reclamation of the site required under chapter 78.44 RCW is completed.

B. A reclamation plan approved in accordance with chapter 78.44 RCW shall be submitted before the effective date of a zone reclassification in Mineral-zoned properties or the acceptance of any development proposal for a subsequent use in Forest-zoned properties. The zone reclassification



shall grant potential zoning that is only to be actualized, under K.C.C. chapter 20.22, upon demonstration of successful completion of all requirements of the reclamation plan. Development proposals in the Forest zone for uses subsequent to mineral extraction or coal mine operations shall not be approved until demonstration of successful completion of all requirements of the reclamation plan except that forestry activities may be permitted on portions of the site already fully reclaimed.

C. Mineral extraction and coal mine operations that are not required to have an approved reclamation plan under chapter 78.44 RCW shall meet the following requirements: . . .

Periodic Reviews should cover EACH of these scenarios

King County Comprehensive Plan Policy:

R-798 The periodic review process for mineral extraction ~~or~~ /processing/ 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.

APPLICABLE LAW, CODE, POLICY

King County Code

Title [16.82](#) CLEARING AND GRADING (Formerly GRADING)

16.82 Definitions, T.

Title [21A22](#) DEVELOPMENT STANDARDS - MINERAL EXTRACTION

21A.22.030 Grading permits required.

21A.22.050 Periodic review.

21A.22.060 Site design standards.

21A.22.081 Reclamation.

State RCW *[for reference only!]*

Chapter [78.44](#) SURFACE MINING

King County Comprehensive Plan Policy

Policy R-798

PAST DOCKET ITEM REQUEST

In 2021 we submitted a *similar* Docket Item Request. Below is the King County Response we received in 2022 to our 2021 D.I. submittal. Please note we have underlined some of what we believe are the key arguments King County provided at the time.

Periodic Review and Reclamation Process: 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.

Classification: 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.

Discussion and Analysis: 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.

21A.22.050 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.
- (Ord. 19146 § 59, 2020: Ord. 15032 § 28, 2004: Ord. 11157 § 21, 1993: Ord. 10870 § 443, 1993).

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.

Executive Recommendation: Based on the discussion and analysis, the Executive does not support this request.

OUR REBUTTAL
(to King County's response to past Docket Item request)

Again, we have highlighted a few statements in King County's 2022 response above. Below we provide ***our rebuttal on each key point***:

1. We believe the "*challenges*" listed above do not cover every case—Reserve Silica is but one case. This is a continuing and profuse problem and, thus, *existing* King County Code clearly is insufficient and needs revision.
2. We agree that "*the reclamation activities are already addressed through the existing periodic review process*" – PROVIDED that the reclamation activities are actually included and reviewed as part of the periodic reviews – which seldom is the case. Making the changes we propose will not have any impact on the current review practices for those operations that ARE following a phased reclamation approach – and yet will address MANY potential problems for those that are NOT following the phased approach.
3. "*Other mines are being reclaimed under state rather than local process; this means the County's review process is preempted by the state*": For those extraction operations that are being reclaimed under a State-regulated reclamation program, our proposed changes would apply only to reclamation projects administered by the County – and would obviously have no application to reclamation work being administered by the State.
4. A periodic review requirement is not necessarily a deterrent for landowners voluntarily reclaiming "*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.*" In fact, it would seem most such voluntary "*reclamation*" projects would tend to be relatively small projects, taking far less than the 3 – 5 years that would trigger a periodic review. And if such projects truly do take more than that time to achieve, it seems entirely appropriate to have a thorough periodic review, to ensure this long-term project remains on-track, and that unanticipated developments are being appropriately addressed. Two instances where a "*voluntary reclamation*" of long-past mining operations that were not reclaimed and, thus, pose hazards or restrictions to returning the land to "*a viable land use*" are:
 - (1) Ravensdale, LLC's (Erickson/Wagner) coal mine trench filling project, and Ravensdale, LLC's reclamation operation has been going on for 15 years, and KC DLS-Permitting has approved further filling that will likely last an additional 10+ years. And we are not aware of ANY formal periodic review of this overall project, in spite of NUMEROUS past documented violations of Permit Conditions, County regulations and code, and State law. And continuing violations that WILL occur if "*reclamation*" of some of the projects already-approved by KC DLS-P are carried out.

- (2) Reserve Silica's current application to "*reclaim*" 37.5 ac of its property of old coal mine hazards. If a pending application is approved, it will allow the dumping of a million cubic yards of "*clean fill*" and/or "*inert wastes*" to be dumped – a 5 – 7-yr hauling/dumping project at up to 200-truck trips/day.

In both these examples, there is nearly NO mine hazard mitigation benefits, and NO returning the land to "*a viable land use*" (in fact, in Reserve Silica's case, very significant detriments to returning the land to its designated post-reclamation land use will occur if the application is approved). Two common denominators in these two "*reclamation project*" cases are:

- (a) It is financially VERY advantageous to the owners to be allowed to dump these imported wastes on their properties – in the name of "*reclamation*."
- (b) In both cases, the owners have a very long history of REPEATED violations of Permit Conditions, County regulations and code, and State law.

In the case of common denominator (a) there is little-to-no chance adding the proposed amendments will cause the owners to drop this "*voluntary reclamation*," unless future periodic reviews indicate the project should be terminated.

In the case of common denominator (b), instead of mitigating risks and improving land use, it is almost guaranteed that both of these projects only will result in further environmental degradation as we've seen in the past and, undoubtedly, will cause MUCH more work for KC DLS-P (and the Public), to try to limit this for-profit degradation of public resources.

5. Why would Periodic Review of reclamation result in "*...additional permitting processes...*" ? In fact, even if true, why is that a problem, as this is exactly what is done all the time when permit conditions are NOT followed, unpermitted activities are conducted, etc., as new or revised permit applications are solicited from the offending applicant ?
6. "*...the County already has controls in place through its permit timelines, renewals of reclamation permits...*" Such "*controls*" clearly are insufficient. Plus, we are unaware that King County grants any "*reclamation permits*" that focus exclusively on reclamation [please note that the State DOES issue "*Reclamation Permits*" under **78.44 RCW**]. Once again, "*reclamation*" and, thus, Reclamation Plans, are PART AND PARCEL of "*mining extraction*" permits and are NOT separate.
7. "*Adding a separate inspection program could be overlapping and inefficient.*" Once again, it is abundantly and undeniably clear that the County has been sorely ineffective when dealing with large, corporate owners with long histories of repeatedly violating County and State regulations in the name of "*reclamation*."

CONCLUSIONS

OUR REBUTTAL above effectively DISPUTES all the stated reasons given by the County for rejecting this Document Item Request in 2022.

Our Docket Item Request herein details CHANGES that are sorely needed to carry out the County's public and environmental responsibilities.

The existing County "*controls*" have REPEATEDLY proven, at best, to be ineffective and, at worst, to have failed.

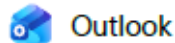
By NOT conducting Periodic Reviews on the reclamation steps of mining permits (GRDE or equivalent), the County is at the mercy of the permit holder, while the Public is shut out from information critical to maintaining its quality of life and ensuring protection of the environment.

RECOMMENDATION

We believe our Docket Item Request herein warrants serious consideration and, finally, adoption.

King County – Comprehensive Plan 2026 Docket Request #6

Docket #6: Urban Growth Area Contraction/Lake 12



KCCP Docket Item Request-Remove "New Rural City Urban Growth Area"-Lake 12 UR-P Zoning

From Tim OBrien <obrien_timothy@hotmail.com>

Date Wed 12/31/2025 11:44 PM

To Compplan <compplan@kingcounty.gov>

Cc Jensen, Chris (they/them) <Chris.Jensen@kingcounty.gov>; McLain, Susan <smclain@kingcounty.gov>; Harris, Kaitlin (DLS) <kaiharris@kingcounty.gov>; Thompson, Mason (DLS) <masthompson@kingcounty.gov>

1 attachment (378 KB)

KCCP Docket 2025 Docket Item Request-UGA Map with Lake 12.pdf;

[EXTERNAL Email Notice!] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

December 31, 2025

To:

CompPlan@kingcounty.gov

cc:

Chris Jensen, KCCP Manager, chris.jensen@kingcounty.gov

Subject:

New Rural City Urban Growth Area-Lake 12 UR-P Zoning

Please accept the attached subject King County Comprehensive Plan (KCCP) Docket Item Request, which seeks to remove UR-P zoning of area of Lake 12 and along Green River Gorge Road.

Please acknowledge receipt. Thank you.

Submitted by: Tim O'Brien, Community Connector, SE King County, obrien_timothy@hotmail.com

Peter Rimbos

29420 SE 352nd St

Enumclaw WA 98022

obrien_timothy@hotmail.com



Docket Form

King County Comprehensive Plan

Date	December 31, 2025		
I. Applicant Information			
Name (if multiple, list all)	Timothy O'Brien		
Property Address	29420 SE 352 nd St, Enumclaw WA 98022		
Phone	253-258-9236	Email	obrien_timothy@hotmail.com
Council District	9		

II. Type of Request			
Comp. Plan Policy or Text Amendment		Land Use Designation Amendment	Yes
Development Regulation Amendment		Zoning Classification Amendment	Yes
Four to One Proposal		Other	
Has this been submitted previously?		No	If yes, please indicate the year
If yes, what was the outcome?			

III. Amendments to Comprehensive Plan Policy or Text, or Development Regulations	
Requested Change?	(see p. 5.)
If addressed already in the plan or code, what change is needed?	(see p. 5.)
Why is this amendment needed?	(see p. 4)
What are the expected or desired outcomes of this change?	(see p. 4)

What are the potential positive or negative impacts of this change?	(see p. 4)
How is this amendment consistent with the Growth Management Act?	(see p. 5)
Conclusion and Recommendation	(see p. 5-6)

IV. Amendments to Property Specific Land Use and Zoning			
General Location	One half mile east of Black Diamond		
Total Acres	160 acres		
Tax Parcel ID (if multiple, list all)	4080800200, 1221069019, 1221069036, 1221069031, 1221069084, 1221069035, 1221069041, 1221069040, 1221069043, 1221069033, 1221069028, 1221069024, 1221069034, 1221069026, 1221069030, 1221069025, 1221069004, 1221069037, 0721079033, 0721079036, 0721079035, 0721079037, 0721079027, 1221069045, 1221069044, 1221069020, 4080800195, 4080800190, 4080800185, 4080800180, 4080800175, 4080800170, 4080800165, 4080800160, 4080800155, 4080800150, 4080800145, 4080800140, 4080800135, 4080800130, 4080800125, 4080800120, 4080800115, 4080800110, 4080800105, 4080800100, 4080800095, 4080800090, 4080800085, 4080800080, 4080800075, 4080800070, 4080800065, 4080800060, 4080800055, 4080800045, 4080800040, 4080800035, 4080800030, 4080800025, 4080800020, 4080800015, 4080800010, 4080800005, 0721079019, 0721079032, 0721079026, 0721079031, 0721079023, 0721079021, 0721079030, 0721079028, 0721079020, 1221069047, 1221069062, 1221069001, 1221069079		
Current Land Use Designation		Requested Land Use Designation Amendment	
Current Zoning Classification	UR-P	Requested Zoning Classification	RA, F
Is there a Special District Overlay or Property Development Condition?,			
Requested Change and Rationale	Remove UR-P zoning and New Rural City Urban Growth Area designation		

Proposed Use of Parcel	Rural Area and Forest
How will change affect adjoining parcels?	Adjoining is mainly F, M and OS zoning. Change will minimize impact on adjoining parcels
How is change compatible with the surrounding area?	Proposed change will make this area more compatible with the surrounding area
Additional information?	

For property owner representatives:			
Name		Email	
Phone		Click to testify you have authorization to submit a docket for this property owner.	

How to Submit a Docket Form:

- Save the Form to your computer, fill it out, and then email it to: compplan@kingcounty.gov.
- Due to the covid pandemic, paper copies are not being accepted.

Background on King County Docket Process

The Docket process responds to the requirements of the Growth Management Act at 36.70A.470 and is codified at the King County Code Title 20.18.107 and .140. Docketing means compiling and maintain a list of suggested changes to the comprehensive plan or development regulations in a manner that ensures suggested changes are considered by the county and are available for review by the public. June 30 is the annual docket deadline. There is no fee for submitting the docket form. To download this form electronically or learn more about the Docket Process, visit: <http://www.kingcounty.gov/compplan/>

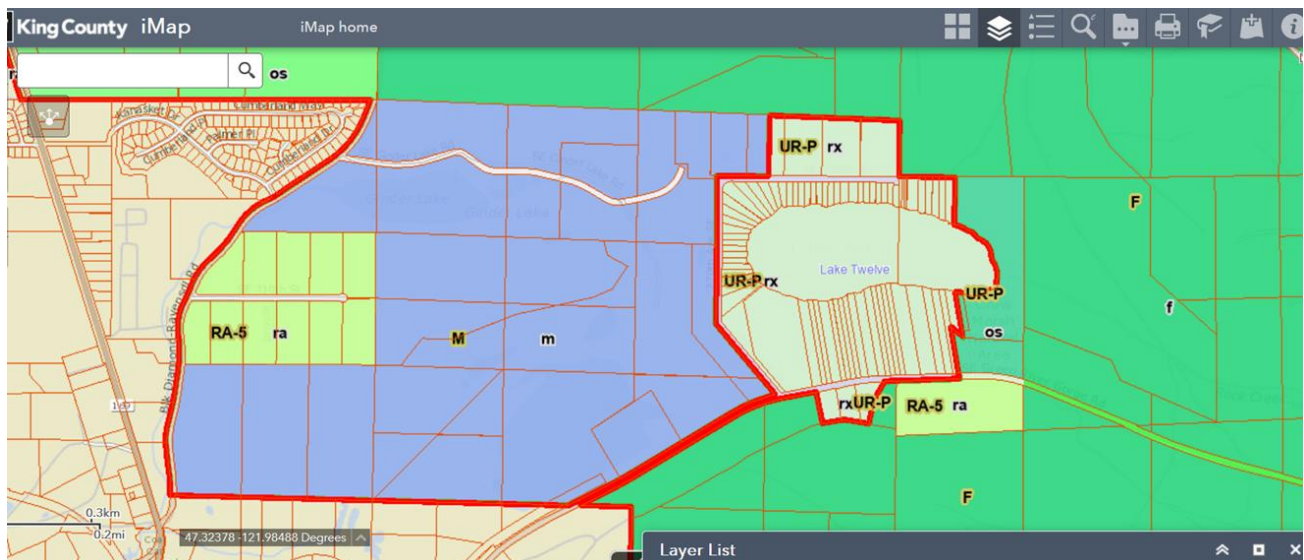
KCCP Docket Item Request

Introduction

1. Requested Action

Ordinance 12065 from 1995, designated Lake 12 area as "New Rural City Urban Growth Area". However, the proposed UGA boundary and to and New Rural City Urban Growth Area designation around Lake 12 area from Ordinance 12065 is inconsistent with GMA and Countywide Planning Policies.

This request is for that King County docket a formal Comprehensive Plan and zoning map amendment to **remove the Urban Growth Area (UGA) boundary from the Lake 12 area and along a half mile section of Green River Gorge Road**, located northeast of the City of Black Diamond and to **restore the zoning designation for the affected parcels from "UR-P" to the zoning classification those parcels held immediately prior to the UR-P designation**. This docket item should require staff to prepare a full public record, technical analysis, and recommendation for Council action.



2. Purpose and Rationale

Purpose:

- **Clarify legal status.** The public record and parcel owners require clear, legally supported mapping and zoning so property rights and expectations are not based on ambiguous or provisional map labels.

- **Correct mapping error or policy inconsistency.** If the UR-P label or any UGA line was applied in error, or without adequate statutory findings, the County should correct the Comprehensive Plan and zoning maps to reflect the legally adopted status.
- **Restore prior regulatory regime.** Reverting parcels to their prior zoning will restore the regulatory baseline that existed before the UR-P designation and remove any implied entitlement or annexation expectation tied to the UR-P label.

Rationale:

UGA designation is statutory and polygonal. RCW 36.70A.110 requires counties to designate urban growth areas within which urban growth shall be encouraged and outside of which growth must be non-urban in nature. A UGA may include territory outside a city only if that territory **already is characterized by urban growth or is adjacent to territory already characterized by urban growth**, or meets other narrowly defined exceptions. This statutory language presumes contiguous, developable areas rather than linear right-of-way strips.

Why a road-only strip is inconsistent with the statute. The GMA's UGA criteria focus on accommodating projected urban growth, providing urban services efficiently, and avoiding sprawl and leapfrog development. A half-mile, road-width corridor without specific parcels, and with no developable land on either side would not meet the statutory tests of being characterized by urban growth, being contiguous to urbanized territory in a meaningful way, or being suitable for efficient urban services.

Policy and implementation implications

Countywide Planning Policies and local codes implement GMA standards. Counties must apply GMA criteria through their comprehensive plans and countywide planning policies, which emphasize contiguity, serviceability, and avoidance of strip annexations. Those implementing policies and UGA maps are the proper place to evaluate whether any proposed boundary meets GMA requirements.

Practical consequence. If a proposed UGA boundary is effectively a narrow corridor along a right-of-way, the County should be required to demonstrate, in the record, how that corridor: (1) accommodates 20-year growth targets; (2) is contiguous to existing urban development in a way that supports urban services; and (3) does not create inefficient or leapfrog development patterns. Absent that record, the configuration would be vulnerable to challenge under the GMA.

3. Scope of Review and Specific Tasks

The docketed review should include, at minimum, the following tasks:

A. Identification of Affected Parcels

- Produce a definitive list of parcels and assessor parcel numbers (APNs) that are currently labeled UR-P or otherwise affected by the UGA boundary in the Lake 12 vicinity.
- Provide a map exhibit showing the current UR-P parcels, the current UGA polygon/line, and the parcels' prior zoning designation and effective date.

B. Legal and Administrative Record Search

- Provide PDFs of all ordinances, docket items, map amendments, Council actions, staff reports, and findings that created or modified the UR-P designation or the UGA boundary in the study area (including the ordinance that first applied UR-P and any subsequent implementing actions).
- Identify the ordinance or map amendment that first placed Lake 12 parcels inside any UGA polygon or applied the UR-P suffix.

C. Technical and Policy Analysis

- Prepare a staff memorandum that:
 - Explains the legal basis for the current UGA boundary and UR-P designation;
 - Documents whether the UGA boundary in the Lake 12 area is a polygon or a narrow corridor/right-of-way and whether that configuration complies with RCW 36.70A.110 and Countywide Planning Policies;
 - Recommends whether the UGA boundary should be removed from the Lake 12 area and whether UR-P should be rescinded;
 - If removal is recommended, identify the exact zoning classification to which each parcel should revert (the zoning in effect immediately prior to UR-P) and the legal mechanism to effect that change.

D. Map and Code Amendments

- Draft the specific Comprehensive Plan map amendment language and the zoning code amendment (Title 21A or other applicable code sections) necessary to:
 1. Remove the UGA polygon/line from and around Lake 12; and
 2. Replace the UR-P zoning designation on affected parcels with the prior zoning classification (identify each parcel's prior zone).
- Include proposed ordinance text, map exhibits, and redline code language for Council consideration.

E. Public Process and Notice

- Provide a public notice plan that includes direct notice to affected property owners, the City of Black Diamond, adjacent jurisdictions, recognized community groups, and any parties that previously participated in related docket items.
- Schedule and hold at least one public hearing before the appropriate County body (Council committee or hearing examiner) and provide a public comment period consistent with docket procedures.

4. Deliverables and Format

Please provide the following deliverables as part of the docket item record:

- **GIS deliverables:** Shapefiles or GeoJSON for the current UGA polygon/line, current UR-P zoning polygons, and the proposed revised zoning polygons for the study area.
- **PDF deliverables:** Scanned copies of all relevant ordinances, map attachments, staff reports, Boundary Review Board documents, and the 1994–2024 Comprehensive Plan map panels clipped to show Black Diamond / Lake 12.
- **Staff report:** A written staff recommendation with findings of fact and conclusions addressing statutory consistency with the Growth Management Act and Countywide Planning Policies.
- **Draft ordinance and code amendments:** Redline and clean versions ready for Council consideration.
- **Schedule:** A proposed timeline for staff analysis, public notice, public hearing(s), and Council action.

5. Legal and Policy Basis

This request is made to ensure the Comprehensive Plan and zoning maps are accurate and consistent with the Growth Management Act (RCW 36.70A), Countywide Planning Policies, and King County Code. If the UR-P designation or any UGA mapping in the Lake 12 area lacks a clear ordinance, findings, or statutory justification, the County should correct the maps and zoning to reflect the legally adopted status and remove any implied entitlement to urban services or annexation.

6. Requested Priority and Timeline

I request that this docket item be accepted in the next available docket cycle and that staff provide an initial acknowledgement and proposed schedule within **30 calendar days** of receipt. Given the potential for property-level confusion and development expectations, I request that the County prioritize completion of the staff analysis and a public hearing within **120 calendar days** of docket acceptance, if feasible under docket procedures.

7. Contact and Signature

Please direct all correspondence and deliverables to:

Timothy O'Brien

Obrien_timothy@hotmail.com

Respectfully submitted,

Timothy O'Brien

Date: December 31, 2025

Appendix C – Executive Responses to Docket Requests

The following are Executive staff responses to docket requests, consistent with the requirements in KCC 20.18.140.B.5.a.

Docket Request #1: Rural Neighborhood Commercial Centers

Executive Response Email

Dear Mr. Rimbo,

Thank you for participating in this year's Docketing process for the King County Comprehensive Plan. The Docket process is available to the public to request changes to the King County Comprehensive Plan, land use designations and/or zoning classifications, and development regulations in the King County Code. The County responds to each item registered on the docket, providing a feedback loop, as required by Revised Code of Washington (RCW) 36.70A.470.

The Docket process is open continuously and, once a year, the items registered in the previous 12 months are compiled into the Docket Report with Executive branch recommendations. This is transmitted to the King County Council for their review and consideration, in accordance with King County Code Title 20.18.140, on the last business day in April.

After receipt of the Docket Report, and during the next available Comprehensive Plan update, the Council will include all proponents of docketed requests in the mailing list for agendas to all committee meetings in which the Comprehensive Plan will be reviewed. Docket request proponents may petition the Council to consider docket items that were not recommended by the Executive for inclusion in the next appropriate Comprehensive Plan and/or development code update.

Following transmittal to the King County Council, you may contact Executive staff at compplan@kingcounty.gov to discuss the Executive's recommendation on your request.

Shown below is the Docket Report information related to your request. To view the current year's Docket Report, click here: [\[LINK\]](#)

A. Proponent: Joint Rural Team (i.e., the "rural" subset of the Joint Team of King County Rural and Urban Unincorporated Area organizations)

B. Brief description: Amend Rural Neighborhood Commercial Centers policies and code to prohibit workforce housing.

C. Type: Policy and Code amendments.

D. Classification: Docket item is not eligible for an annual update as it would require substantive changes to Comprehensive Plan policies but is eligible for a midpoint or 10-year update.

E. Location: County Council Districts: All districts with Rural Neighborhood Commercial Centers – 3, 8, 9.

Community Service Areas: Bear Creek/ Sammamish, Snoqualmie Valley/NE King County, Greater Maple Valley/Cedar River, SE King County, and Vashon-Maury Island.

F. Analysis: The 2024 Comprehensive Plan update included several policy changes¹ that relate to this docket request.

- R-302 was added to express support for rural affordable housing which, while not directly referencing RNCCs, identified new support for different types of housing in rural areas with criteria regarding a limit on growth; size, scale, and character; and levels of service.
- R-303 was amended to specifically state that RNCCs should allow low or middle densities that support housing co-located with commercial development to provide workforce housing.
- R-320, as amended, promotes connectivity for active transportation in larger RNCCs; while not specific to housing, the policy concerns residential-related activities that support workforce housing.
- R-401 is specific to RNCCs and was amended to state that workforce housing, when part of mixed-use development, is allowed.

Commensurate changes were made to the KCC through Ordinance 19881,² which adopted the 2024 Comprehensive Plan Update. The primary change was to lower the allowed density from eight dwelling units per acre to four dwelling units per acre, and to specify that housing is allowed in RNCCs as part of a mixed-use development. These and other related changes reflect an amended approach to RNCCs and were recently adopted in the 2024 Update.

G. Executive recommendation: The Executive does not recommend consideration in the 2029 midpoint update. The regulations were adopted in late 2024, and time should be provided to assess their effect and impacts. Modest amounts of housing in rural centers from these changes may be consistent with priorities related to housing.

Allowing time for the policies to be implemented will be informative. The docket request does not identify new information that would warrant making this change now, meaning the request does not appear to be time-sensitive and needing to be addressed before the next 10-year update,³ which is a requirement for inclusion in a midpoint update. If development and impacts are significant in the coming years, the County could consider changes in the next 10-year update.

¹ See the “redline” version of the 2024 for referenced changes to policy. [[LINK](#)]

² Ordinance 19881. [[LINK](#)]

³ Ibid. *Emphasis added.* “D.1. At the midpoint of the 10-year update process, *a limited update* to the Comprehensive Plan to address *time-sensitive issues* before to the next 10-year update, *may be authorized* by motion...”

Docket Request #2: Sammamish Potential Annexation Area Rezone

Executive Response Email

Dear Mr. Husting,

Thank you for participating in this year's Docketing process for the King County Comprehensive Plan. The Docket process is available to the public to request changes to the King County Comprehensive Plan, land use designations and/or zoning classifications, and development regulations in the King County Code. The County responds to each item registered on the docket, providing a feedback loop, as required by Revised Code of Washington (RCW) 36.70A.470.

The Docket process is open continuously and, once a year, the items registered in the previous 12 months are compiled into the Docket Report with Executive branch recommendations. This is transmitted to the King County Council for their review and consideration, in accordance with King County Code Title 20.18.140, on the last business day in April.

After receipt of the Docket Report, and during the next available Comprehensive Plan update, the Council will include all proponents of docketed requests in the mailing list for agendas to all committee meetings in which the Comprehensive Plan will be reviewed. Docket request proponents may petition the Council to consider docket items that were not recommended by the Executive for inclusion in the next appropriate Comprehensive Plan and/or development code update.

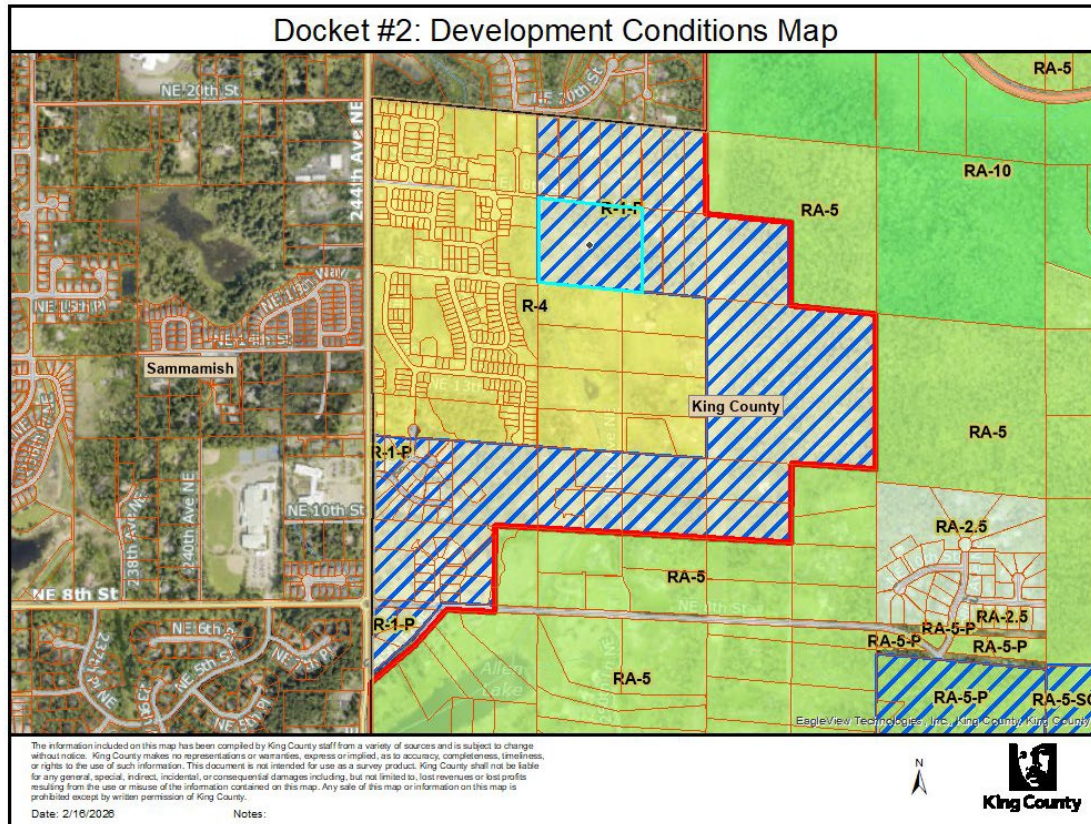
Following transmittal to the King County Council, you may contact Executive staff at compplan@kingcounty.gov to discuss the Executive's recommendation on your request.

Shown below is the Docket Report information related to your request. To view the current year's Docket Report, click here: [[LINK](#)]

A. Proponent: Jennifer & Patrick Husting

B. Brief description: Increase density of zoning on parcel (#2625069041) in an unincorporated urban area near Sammamish from R-1-P (Urban Residential, one unit per acre, with Property-Specific Development Condition ES-P20 Wildlife Corridor/Urban Separator) to R-4 (Urban Residential four units per acre). This change will require a commensurate land use designation change from Urban Low to Urban Medium.

C. Type: Map amendments.



- The relationship of this development condition to the Urban Separators geography, given that the boundaries are not the same as the Urban Separators included in the Countywide Planning Policies (CPPs).⁵
- This Study may consider the Urban Separator geography in the CPPs, given the review that was conducted by Growth Management Planning Council (GMPC) staff and the Interjurisdictional Team in 2024, and may propose changes, if appropriate, to the CPPs for GMPC and County consideration.
- Coordination with the City of Sammamish and the public regarding annexation of this potential annexation area (PAA).
- Consideration of critical areas, such as the wetlands that exist on parcels directly adjacent on both sides of property, to assess potential environmental impacts if rezoned to higher densities.
- Consideration of the Urban Residential (R-1) zoning, based on the aforementioned issues.

Adding this to the 2029 midpoint update scope of work allows it to be considered in a midpoint update which is limited to items adopted in the Scoping Motion. The time-sensitive nature of this is based on the study conducted by the GMPC's interjurisdictional team, which identified the need to reconsider the Urban Separator geography in the CPPs, and therefore in local plans.

⁵ Countywide Planning Policies. [[LINK](#)]

Docket Request #3: Battery Energy Storage Systems

Executive Response Email

Dear Mr. Rimbo,

Thank you for participating in this year's Docketing process for the King County Comprehensive Plan. The Docket process is available to the public to request changes to the King County Comprehensive Plan, land use designations and/or zoning classifications, and development regulations in the King County Code. The County responds to each item registered on the docket, providing a feedback loop, as required by Revised Code of Washington (RCW) 36.70A.470.

The Docket process is open continuously and, once a year, the items registered in the previous 12 months are compiled into the Docket Report with Executive branch recommendations. This is transmitted to the King County Council for their review and consideration, in accordance with King County Code Title 20.18.140, on the last business day in April.

After receipt of the Docket Report, and during the next available Comprehensive Plan update, the Council will include all proponents of docketed requests in the mailing list for agendas to all committee meetings in which the Comprehensive Plan will be reviewed. Docket request proponents may petition the Council to consider docket items that were not recommended by the Executive for inclusion in the next appropriate Comprehensive Plan and/or development code update.

Following transmittal to the King County Council, you may contact Executive staff at compplan@kingcounty.gov to discuss the Executive's recommendation on your request.

Shown below is the Docket Report information related to your request. To view the current year's Docket Report, click here: [\[LINK\]](#)

A. Proponent: Sixteen proponents affiliated with but not representing Unincorporated Area Councils (see Appendix B for more information).

B. Brief description: Amend County Battery Energy Storage Systems (BESS) policy and code to address several environmental, health, and safety topics.

C. Type: Code amendments.

D. Classification: Amendments to the KCC can happen at the discretion of the County and are not limited to plan update timelines and restrictions. If collateral changes are determined to be needed in the Comprehensive Plan, they would be eligible for a midpoint or 10-year update.

E. Location: County Council Districts: All districts with Unincorporated Areas: 2, 3, 5, 6, 7, 8, 9. Community Service Areas: All.

F. Analysis: BESS are defined in the Zoning Code (KCC Title 21A) and are included in the “Use” tables. Conditions are provided for the different zoning classifications that seek to mitigate potential impacts. The BESS regulations adopted through [Ordinance 19824](#)⁶ in late 2024 have seen limited application, and the County has not yet permitted any large-scale BESS.

Ordinance 19824 updated requirements for the review, siting, and operation of BESS in unincorporated King County. These rules build on State building and fire code requirements that went into effect in 2024, and define the zones where BESS are allowed as regional land uses and accessory uses. All BESS in unincorporated King County are required to meet the County and State requirements, which cover safety requirements such as:

1. Size, location, and separation requirements from other units, buildings, and vegetation,
2. For BESS accessory to other uses, restrictions for the power to be used on-site, in the adjacent right-of-way, or to participate in load sharing or grid-connected electricity sharing,
 - Hazard mitigation for thermal runaway, and mechanical, fire protection, or ventilation failures,
 - Testing of the system before operation begins,
 - An operating plan to ensure the BESS and protective systems (such as fire suppression) meet the requirements over time,
 - Fire protection in conformance with international fire code, including smoke detectors, sprinkler systems, ventilation, thermal runaway, explosion control,
 - Coordination with the local fire department to ensure proper training, and
 - Financial guarantees for BESS failures and decommissioning, both with the initial permit and renewed every five years.

The 2026/2027 King County Biennial Budget⁷ includes an Expenditure Restriction requiring the Executive to transmit a BESS Siting Analysis Report, and a motion acknowledging receipt of the report. The report is to include, but not be limited to, the following:

- A BESS siting analysis done in collaboration with utilities and King County cities,
- Consistency with GHG Action 41 in the adopted 2025 Strategic Climate Action Plan,⁸
- Identification of areas most suitable for BESS facility siting, focusing on proximity to electrical substations, equity impacts, resource lands considerations, fire and safety best practices, and minimal land-use conflicts, and
- Recommendations for updated countywide BESS targets.

The issues raised in the docket request will, in part, be informed by the BESS siting study.

G. Executive recommendation: The Executive does not recommend a stand-alone KCC amendment nor consideration in the 2029 midpoint update. Amendments to the KCC are not

⁶ Ordinance 19824. [\[LINK\]](#)

⁷ Ordinance 200232, 2026-2027 King County Budget. [\[LINK\]](#)

⁸ Motion 16898 [\[LINK\]](#) 2025 Strategic Climate Action Plan, Part 2, Action 41 (page 131). [\[LINK\]](#)

limited to plan update timelines and restrictions, and they can happen at the discretion of the County. If changes are determined to be needed in the Comprehensive Plan, they are eligible for a midpoint or 10-year update. Thus, the docket request does not appear to be time-sensitive and needing to be addressed before the next 10-year update, which is a requirement for inclusion in a midpoint update.⁹

BESS are important parts of transitioning to a cleaner energy system. The regulations adopted in 2024, plus updates to state building and fire codes, provide several safety and financial protections and, although different from those requested in the docket request, time should be provided to assess their effect and impacts.

The 2026-27 Biennial Budget includes an Expenditure Restriction (§19, ER 1) and Proviso (§19, P4) that requires a BESS siting analysis. This siting analysis, and the processing of any applications, should be used to inform the disposition of this docket request.

If development and impacts are notable in the coming years, the County could consider changes in the next 10-year update.

⁹ KCC 20.18.030D.1. [[LINK](#)]

Docket Request #4: Local Agricultural & Forest Product Processing

Executive Response Email

Dear Mr. Rimbos,

Thank you for participating in this year's Docketing process for the King County Comprehensive Plan. The Docket process is available to the public to request changes to the King County Comprehensive Plan, land use designations and/or zoning classifications, and development regulations in the King County Code. The County responds to each item registered on the docket, providing a feedback loop, as required by Revised Code of Washington (RCW) 36.70A.470.

The Docket process is open continuously and, once a year, the items registered in the previous 12 months are compiled into the Docket Report with Executive branch recommendations. This is transmitted to the King County Council for their review and consideration, in accordance with King County Code Title 20.18.140, on the last business day in April.

After receipt of the Docket Report, and during the next available Comprehensive Plan update, the Council will include all proponents of docketed requests in the mailing list for agendas to all committee meetings in which the Comprehensive Plan will be reviewed. Docket request proponents may petition the Council to consider docket items that were not recommended by the Executive for inclusion in the next appropriate Comprehensive Plan and/or development code update.

Following transmittal to the King County Council, you may contact Executive staff at compplan@kingcounty.gov to discuss the Executive's recommendation on your request.

Shown below is the Docket Report information related to your request. To view the current year's Docket Report, click here: [\[LINK\]](#)

A. Proponent: Joint Rural Team

B. Brief description: Amend Agriculture and Forestry Product Processing in the Rural Area policy and code to require that the materials be grown in King County. Technical and definitional changes are proposed in related policies and code.

C. Type: Policy and Code amendments.

D. Classification: Docket item is not eligible for an annual update as it would require substantive changes to Comprehensive Plan policies but is eligible for a midpoint or 10-year update.

E. Location: County Council Districts: All districts with Rural Area land use classifications – 3, 8, 9. Community Service Areas: Bear Creek/ Sammamish, Snoqualmie Valley/NE King County, Greater Maple Valley/Cedar River, SE King County, Vashon-Maury Island.

F. Analysis: Processing natural resource materials is an important component of supporting and protecting Natural Resource Lands. Some policies that address this are summarized as follows:

- R-337 states that processing these products should be allowed in the Rural Area.
- R-756 commits the County to protect Agricultural Production Districts for a variety of reasons, and to promote agricultural processing businesses.
- R-771 states that agricultural processing, and other activities, are agricultural activities, and should be allowed at an appropriate size and scale.
- R-772 states the County’s support for processing and packing of farm products from crops and livestock.
- R-774 states the County should develop incentives to support local food processing, for a variety of reasons.
- R-786 states the County should strengthen and promote and support a sustainable and climate-resilient local food system, by promoting and supporting local food processing.
- ED-604 states the County shall encourage a variety of local food economy activities, including processing, aggregation, and packing.

While some of these policies and the supporting text discuss support for local food, they do not support processing exclusively of King County grown products. This is consistent with the County’s local food initiative.¹⁰

G. Executive recommendation: The Executive does not support limiting natural resource processing facilities to only locally grown products. Rationale includes the following:

- Maintaining natural resource lands and industries is a priority in the Growth Management Act and the King County Comprehensive Plan.
- Processing natural resource materials is a necessary function to support these industries and has long been determined to be an appropriate allowed use in the Rural Area.
- Natural resource processing facilities are already limited in King County – some have moved out of the County, some have not been able to site in the County, some have received financial support from the County to be operable, and some that are currently operating receive products that are grown outside of the County.
- Given this, limiting the processing facilities to only King County grown products would create a new constraint that could jeopardize these businesses in King County and thereby harm the larger natural resource business sector.

¹⁰ King County Local Food Initiative. [[LINK](#)]

Docket Request #5: Mining Reclamation Periodic Reviews

Executive Response Email

Dear Mr. Rimbo,

Thank you for participating in this year's Docketing process for the King County Comprehensive Plan. The Docket process is available to the public to request changes to the King County Comprehensive Plan, land use designations and/or zoning classifications, and development regulations in the King County Code. The County responds to each item registered on the docket, providing a feedback loop, as required by Revised Code of Washington (RCW) 36.70A.470.

The Docket process is open continuously and, once a year, the items registered in the previous 12 months are compiled into the Docket Report with Executive branch recommendations. This is transmitted to the King County Council for their review and consideration, in accordance with King County Code Title 20.18.140, on the last business day in April.

After receipt of the Docket Report, and during the next available Comprehensive Plan update, the Council will include all proponents of docketed requests in the mailing list for agendas to all committee meetings in which the Comprehensive Plan will be reviewed. Docket request proponents may petition the Council to consider docket items that were not recommended by the Executive for inclusion in the next appropriate Comprehensive Plan and/or development code update.

Following transmittal to the King County Council, you may contact Executive staff at compplan@kingcounty.gov to discuss the Executive's recommendation on your request.

Shown below is the Docket Report information related to your request. To view the current year's Docket Report, click here: [\[LINK\]](#)

A. Proponent: Joint Rural Team

B. Brief description: Amend five-year periodic review policy and code to include the reclamation phase of a prior mining operation that is not subject to state reclamation authority and new mine reclamations where that authority has been granted to the County.

C. Type: Policy and Code amendments.

D. Classification: Docket item is not eligible for an annual update as it would require substantive changes to Comprehensive Plan policies but is eligible for a midpoint or 10-year update.

E. Location: County Council Districts: All districts with Forest and Mineral zoning, and legal nonconforming sites in the Rural area – 3, 8, 9,
Community Service Areas: All districts and CSAs with Forest and Mineral zoning, and legal nonconforming sites in the Rural Area.

F. Analysis: The Washington State Department of Natural Resources (DNR or the State) has exclusive authority to regulate surface mine reclamation, unless the State delegates authority to King County.¹¹ The State has done so for the Reserve Silica mine. Two other sites exist with County reclamation permits: Ravensdale Trenches and Jones Road Reclamation; the County has authority because the sites predated State reclamation regulations.

- Local governments have authority to regulate mining ‘operations,’ although reclamation is *not* part of the state definition of operations.¹²
- Comprehensive Plan policies and KCC recognize this State authority and support collaboration between the County, State, operator, and others on managing mining operations, including work related to reclamation. Relevant policies include the following:
 - R-800 states that where mineral extraction and mining are subject to state or federal regulations, King County should work with these entities to ensure requirements and impacts are reviewed.
 - R-801 states that King County should work with the Washington State Department of Natural Resources to ensure areas are reclaimed in a timely and appropriate manner.
- S-748 states that King County Shoreline provisions and requirements should be consistent with state surface mining requirements.
- Within its authority, the County’s Annual Inspection program looks at all phases of the mining operation, including reclamation, and assesses the operations for compliance with the permit. When there are compliance issues, King County can and has directed operators to take corrective actions or undertake additional studies.
- In addition to Annual Inspections, the County conducts a Five-Year periodic review.¹³ The Five-Year review considers the same operations as the Annual Inspections. The Five-Year review must determine whether the site is operating consistently with all existing permit conditions and, if not, establish corrective actions; and 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.
- Periodic review is a Type 2 land use decision, which is subject to administrative appeal. Clearing and grading is a Type 1 land use decision, which is administrative and an appeal is only available to Superior Court.¹⁴ In some circumstances, mining permits have expired prior to the periodic review and a new permit has been approved.
- Applying the periodic review to the reclamation phase has several challenges. Most mines are not subject to King County authority as this has not been granted by the State, which would limit the impact. Older mines without reclamation plans would become legally nonconforming, which could create challenges for the operation of the mine, thereby potentially preventing the operator from reaching the reclamation phase.

¹¹ RCW 78.44.050: Surface Mining. [\[LINK\]](#)

¹² Ibid, 78.44.031(8): Surface Mining. [\[LINK\]](#)

¹³ KCC 21A.22.050. [\[LINK\]](#)

¹⁴ KCC 20.20.020. [\[LINK\]](#)

G. Executive recommendation: With reclamation duties vested to the State, along with the inherent authorities of the State to compel operators to comply with permit requirements, the Executive believes the State remains the appropriate lead for mine reclamation.

Given this, the Executive does not support including the reclamation work in the periodic review process. Instead, the Executive recommends continued coordination between the County, the State, the operator, and other relevant parties, on all phases of the mining permit and supports continued involvement and information sharing as part of the Annual Inspections program.

Docket Request #6: Urban Growth Area Contraction/Lake 12

Executive Response Email

Dear Mr. O'Brien,

Thank you for participating in this year's Docketing process for the King County Comprehensive Plan. The Docket process is available to the public to request changes to the King County Comprehensive Plan, land use designations and/or zoning classifications, and development regulations in the King County Code. The County responds to each item registered on the docket, providing a feedback loop, as required by Revised Code of Washington (RCW) 36.70A.470.

The Docket process is open continuously and, once a year, the items registered in the previous 12 months are compiled into the Docket Report with Executive branch recommendations. This is transmitted to the King County Council for their review and consideration, in accordance with King County Code Title 20.18.140, on the last business day in April.

After receipt of the Docket Report, and during the next available Comprehensive Plan update, the Council will include all proponents of docketed requests in the mailing list for agendas to all committee meetings in which the Comprehensive Plan will be reviewed. Docket request proponents may petition the Council to consider docket items that were not recommended by the Executive for inclusion in the next appropriate Comprehensive Plan and/or development code update.

Following transmittal to the King County Council, you may contact Executive staff at compplan@kingcounty.gov to discuss the Executive's recommendation on your request.

Shown below is the Docket Report information related to your request. To view the current year's Docket Report, click here: [\[LINK\]](#)

A. Proponent: Tim O'Brien

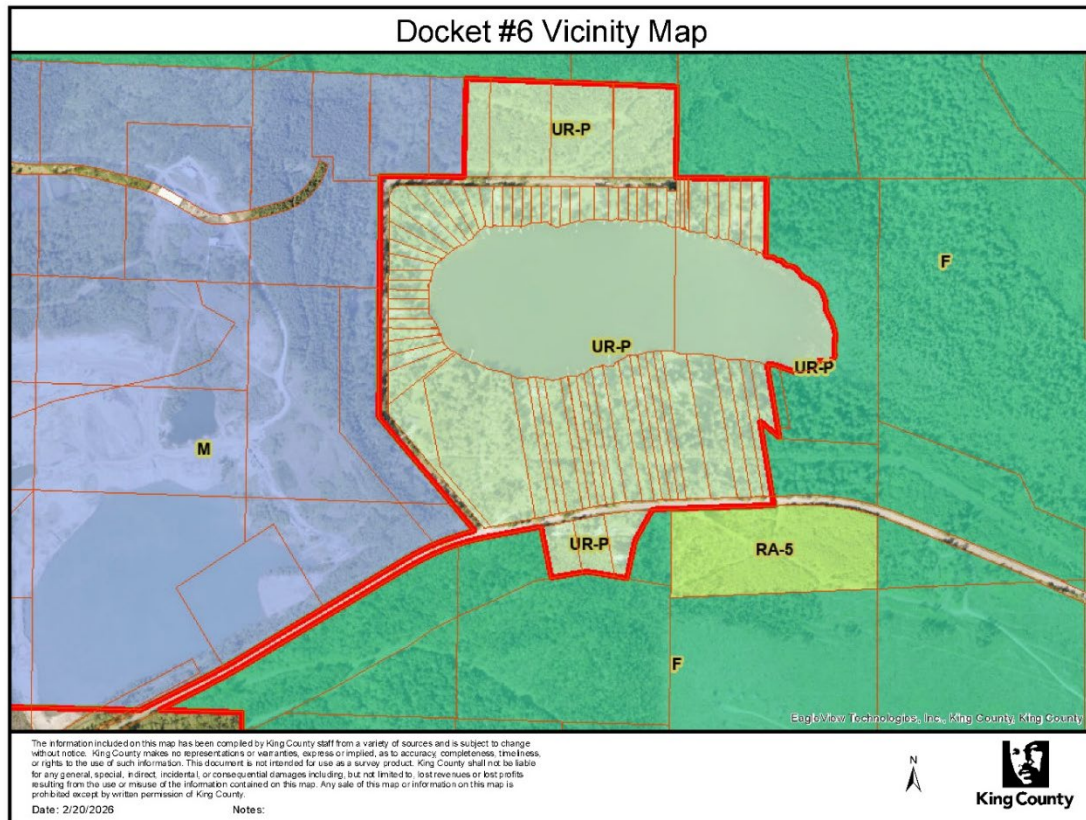
B. Brief description: Reclassify zoning on all parcels surrounding Lake 12 from UR-P (Urban Reserve, one unit per five acres, with Property-Specific Development Condition TR-P43 Black Diamond) to a Rural Area zone and Forest zone, and redesignate land use on the parcels from RX (Rural City Urban Growth Area or UGA) to Rural Area and Forestry. *(Note: This change would require an amendment to the UGA boundary.)*

C. Type: Map amendment.

D. Classification: Docket request is not eligible for an annual plan update as it would require substantive changes to the UGA, but it is eligible for a midpoint or 10-year update.

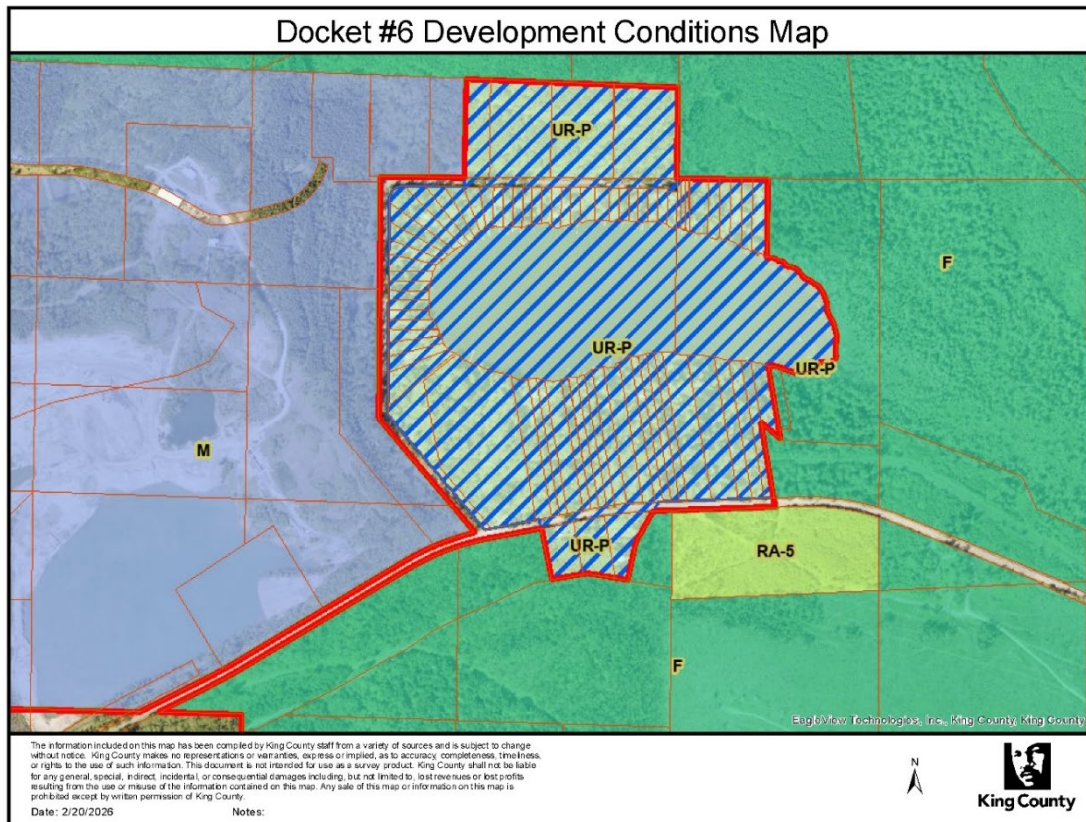
E. Location: County Council District: 9. Community Service Area: SE King County Area.

F. Analysis: The request affects 77 parcels (in the maps below, they are the unincorporated parcels surrounded by the red UGA boundary) and the lake in the Lake 12 Potential Annexation Area affiliated with the City of Black Diamond. These parcels are subject to property-specific development condition TR-P43¹⁵ (shown in blue hatching on second map), which restricts development to be consistent with the terms of the Black Diamond Urban Growth Area Agreement (BDUGAA).¹⁶



¹⁵ TR-P43: Black Diamond. [\[LINK\]](#)

¹⁶ Ordinance 12534. [\[LINK\]](#)



The Lake 12 parcels were added to the UGA in 1995, as a part of the finalization of Black Diamond's affiliated UGA.¹⁷ Ordinance 12065 notes that options in providing City water and sewer service to Lake 12 were to be addressed and resolved by King County, the City of Black Diamond, and property owners. This is consistent with King County CPPs PF-1 and PF-4, and KCC 13.24.035, which states that all development within the urban growth area shall be served by public sewer service.¹⁸

These parcels are currently zoned UR-P, Urban Reserve (one unit per five acres). 54 of the 77 parcels surrounding the lake are already developed; 48 parcels have a single detached dwelling unit and six parcels have mobile homes. Of the remaining 23 parcels, the three largest are under current use taxation, and all others have an area too small to be further subdivided.

This request is a site-specific land use map amendment. Site-specific land use map amendments may be initiated by property owner application, council motion, or executive proposal. As the requestor is not a property owner within the affected area this amendment would need to be proposed and studied by the Executive. Further, as the area is affiliated with the City of Black

¹⁷ Ordinance 12065. [\[LINK\]](#)

¹⁸ CPPs [\[LINK\]](#); KCC. [\[LINK\]](#)

Diamond for potential annexation, consideration of these changes would benefit from consultation with the City, the property owners, and the public.

G. Executive recommendation: The Executive does not recommend consideration in the 2029 midpoint update. This area has been part of the UGA since the mid-1990s. Providing urban services to the Lake 12 neighborhood's existing development would improve water quality and safety, and was a factor in including this area within the UGA. The docket request does not identify new information that would warrant making this change now, meaning the request does not appear to be time-sensitive, which is a requirement for inclusion in a midpoint update. If changes occur in the coming years, the County could potentially consider amendments in the next 10-year update.