King County

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CLERK
KING COUNTY COUNCIL

March 11, 2015

The Honorable Larry Phillips
Chair, King County Council
Room 1200
COURTHOUSE

Dear Councilmember Phillips,

I am pleased to transmit the attached report "Isolated Industrial Zoned Parcels in Unincorporated King County" as required by Ordinance 17893. On September 23, 2014 the Council adopted Ordinance 17893, a one-year moratorium on the acceptance of applications for new development on isolated industrial parcels, and declared an emergency in unincorporated King County.

This report identifies all isolated industrial zoned parcels in unincorporated King County and makes recommended zoning changes. Ordinance 17893, Section 3, defines "isolated industrial zoned parcels" as industrial (I) zoned parcels in the Rural Area that are:

- Not located in a Rural Town, in a designated area adjacent to the Rural Neighborhood Commercial Center of Preston, or an area located along SR-169 on lands that have been and continue to be used for industrial purposes and have a designation as a King County Historic site;
- Not located in or directly adjacent to the urban growth boundary; and
- Without direct access from arterials or freeways.

During the data analysis, Department of Permitting and Environmental Review staff found that only one parcel met the definition of isolated industrial zoned parcels in Ordinance 17893. That parcel is Tax Lot 202206-9011, owned by Maple Valley Industries LLC (Cramer). The owner of this parcel has been issued a vested commercial site development permit and has begun work on the site. The Department recommends the Council initiate a change of zoning designation to RA-5 (Rural Area – 5 acre minimum) for the following reasons:

- The King County Comprehensive Plan designation for this parcel is "Rural," as it is for the surrounding property;

- The prior use of the parcel ended when the state of Washington, the prior owner, completed its work on SR-18 and it sold off the remaining, unused portion of the original parcel; and
- The Growth Management Act calls for consistency between zoning and Comprehensive Plan designations and this action would address that requirement.

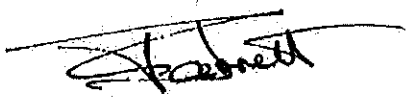
This report furthers the goals identified in the County's Strategic Plan and in Ordinance 17893 by providing information for decision makers to use in determining whether additional regulation is necessary in order to:

- Maintain a diverse King County;
- Encourage vibrant, thriving and sustainable communities; and
- Safeguard the County's natural resources and environment.

It is estimated that this report required 20 staff hours to produce, costing $1,500. There is no estimated printing cost for this report.

If you have any questions, please feel free to contact John Starbard, Department of Permitting and Environmental Review, at 206-477-0382.

Sincerely,



Dow Constantine
King County Executive

Enclosure

cc: King County Councilmembers
ATTN: Carolyn Busch, Chief of Staff
Anne Noris, Clerk of the Council
Carrie S. Cihak, Chief of Policy Development, King County Executive Office
Dwight Dively, Director, Office of Performance, Strategy and Budget (PSB)
Lauren Smith, Director of Regional Planning, PSB

King County
Department of Permitting
and Environmental Review

Isolated Industrial Parcels

In Unincorporated King County

March 6, 2015

Required by Ordinance 17893

And

Prepared by

Department of Permitting and Environmental Review

Introduction

On September 23, 2014 the King County Council adopted Ordinance 17893, a one-year moratorium on the acceptance of applications for new development on isolated industrial parcels, and declared an emergency in unincorporated King County. This Ordinance required a report from the Executive's Office identifying all isolated industrial zoned parcels in unincorporated King County and any proposals for zoning changes. In Section 3 of Ordinance 17893, "isolated industrial zoned parcels" are defined as industrial (I) zoned parcels in the Rural Area that are:

A. Not located in a Rural Town, in a designated area adjacent to the Rural Neighborhood Commercial Center of Preston, or an area located along SR-169 on lands that have been and continue to be used for industrial purposes and have a designation as a King County Historic site;

B. Not located in or directly adjacent to the urban growth boundary; and

C. Without direct access from arterials or freeways.

Methodology

Department of Permitting and Environment Review (DPER) and Information Technology (KCIT) GIS staff collaborated to identify and analyze all industrial zoned parcels in unincorporated King County. During data collection, industrial zoned properties across unincorporated King County were shown as clusters where several properties were located together in one grouping. Staff pinpointed clusters and separate singular property locations and classified them as data points. Data points either met the definition or were eliminated from the data based on the definition of an isolated industrial parcel provided in Ordinance 17893.

Data points representing all but one of the industrial zoned parcels were eliminated because they did <u>not</u> fit the definition of an isolated industrial zoned property:

1. Eliminated data points: 4-5 (Fall City); 12-16 (Vashon). Data points area located in either the Rural Town of Fall City or Vashon.
2. Eliminated data point: 7. Data point 7 is the designated area adjacent to the Rural Neighborhood Commercial Center of Preston. This area has also been identified as the Preston Industrial Park.
3. Eliminated data points: 1-2, 6, 8-11, 21, 24-25, 27. The majority of the data points were eliminated due to their location inside or adjacent to the urban growth boundary.
4. Eliminated data points: 3, 17-20, 22, 26, 28-29. Data points were eliminated because parcel has direct access from arterials or freeways.

Attachment A is a map of all industrial zoned parcels titled "Isolated Industrial Zoned Parcels in Unincorporated King County." Attachment B is a spreadsheet identifying the characteristics of the isolated industrial zoned parcels/data points; the number of each parcel/data point corresponds with the data point location on the map (Attachment A).

Findings

During the data analysis, DPER staff found that only data point 23 met the provided definition of isolated industrial zoned parcels. This data point represents one vacant industrial zoned parcel (tax lot 202206-9011) situated along SR-18 but with access only to SE 248th Street in the Maple Valley area. (Attachment

C). This parcel is approximately 6.5 acres in size. Data from the King County Assessor's Office states that the parcel is owned by Maple Valley Industries, LLC.

Prior to the King County Code Title 21A zoning conversion in 1995, this parcel was zoned ML-P (Manufacturing, Light); it was converted to I-P. There were two p-suffixes in place associated with the parcel: TRH-P1 and TRH-P2. Generally, these p-suffix conditions applied to large areas and seasonal clearing and grading restrictions. These p-suffixes were not linked to the specific land use of this parcel. The p-suffix conversion ordinance in 1997 removed TRH-P2 as it was redundant with another section of code and retained TRH-P1 as TR-P44. In 1998, TR-P44 was repealed by Ordinance 13278.

According to the King County Assessor's Office, the previous owner of the parcel was the Washington State Department of Transportation (WSDOT) which purchased it from Edsel and Eloise Heslip in February, 1994. In 1999, DPER issued a permit to demolish a concrete shop building. There has been no substantive change to the zoning since it has been entered into the GIS system.

Under WSDOT's ownership, Tax Lot 202206-9011 was a much larger parcel that was used as a staging area for road construction equipment and materials during construction of SR18. The highway was reconstructed as a limited access route and access to this parcel from SR 18 was closed. When construction was completed, WSDOT converted about half of the parcel into right-of-way; segregated off the remaining, unused portion; and the smaller lot was sold to Maple Valley Industries, LLC. It is this remaining portion which is the current Tax Lot 202206-9011.

DPER has a commercial site development permit (CSDP) open on this parcel (CMST14-001), which vested on June 25, 2014 under K.C.C. Chapter 20.20. DPER is reviewing this application now and the applicant is working to meet the requirements for the permit. The applicant has applied for this permit to prepare the 6.5 acre parcel for future, phased construction of two industrial buildings after obtaining the CSDP. The CSDP is the first permit in a multi-permit process; the applicant still needs to obtain building and construction permits. The applicant has indicated he has applied for a license from the Washington State Liquor Control Board for recreational marijuana producing and processing in a portion of the buildings. The license is pending; the applicant needs operate the business in order for WSLCB to complete its application review.

The parcel is zoned Industrial. Industrial buildings are permitted in this zone. Based on the date of vesting for applicant's CDSP, the application will be reviewed under the K.C.C. Title 21A provisions in place prior to June 23, 2014 when code amendments were adopted (Ordinance 17841). Under the previous code, producing (growing) and processing (Processor 2[1]) of recreational marijuana are outright permitted in this zone up to 30,000 sf. All recreational marijuana businesses must be conducted indoors in this zone.

Zoning on surrounding properties is RA-5 (Rural Area – 5 acre minimum), a residential zoning designation. Under the previous code, the RA-5 zoning permits on an outright basis production and processing (Processor 1[1]) up to two thousand square feet. Up to 30,000 sf of recreational marijuana production and processing (Processor 1) are allowed if a conditional use permit is issued. The RA-5 zoning also allows recreational marijuana production and processing outdoors, in marijuana greenhouses, and in non-dwelling buildings in existence as of October 1, 2013.

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[1] Processor 1 – drying, curing, trimming, packaging. Processor 2 – Processor 1 plus extracting concentrates, infusing products, mechanical and/or chemical processing, packaging.

This site has a "Rural" designation on the land use map in the 2012 King County Comprehensive Plan (KCCP). The surrounding property also has a "Rural" land use designation in the KCCP.

Conclusion

Based on the definition and criteria spelled out in Ordinance 17893, DPER staff found only one parcel that meets the criteria for "isolated industrial zoned parcels." This parcel is Tax Lot 202206-9011 which is owned by Maple Valley Industries and has a vested commercial site development permit (CSDP) application open with DPER and under review now.

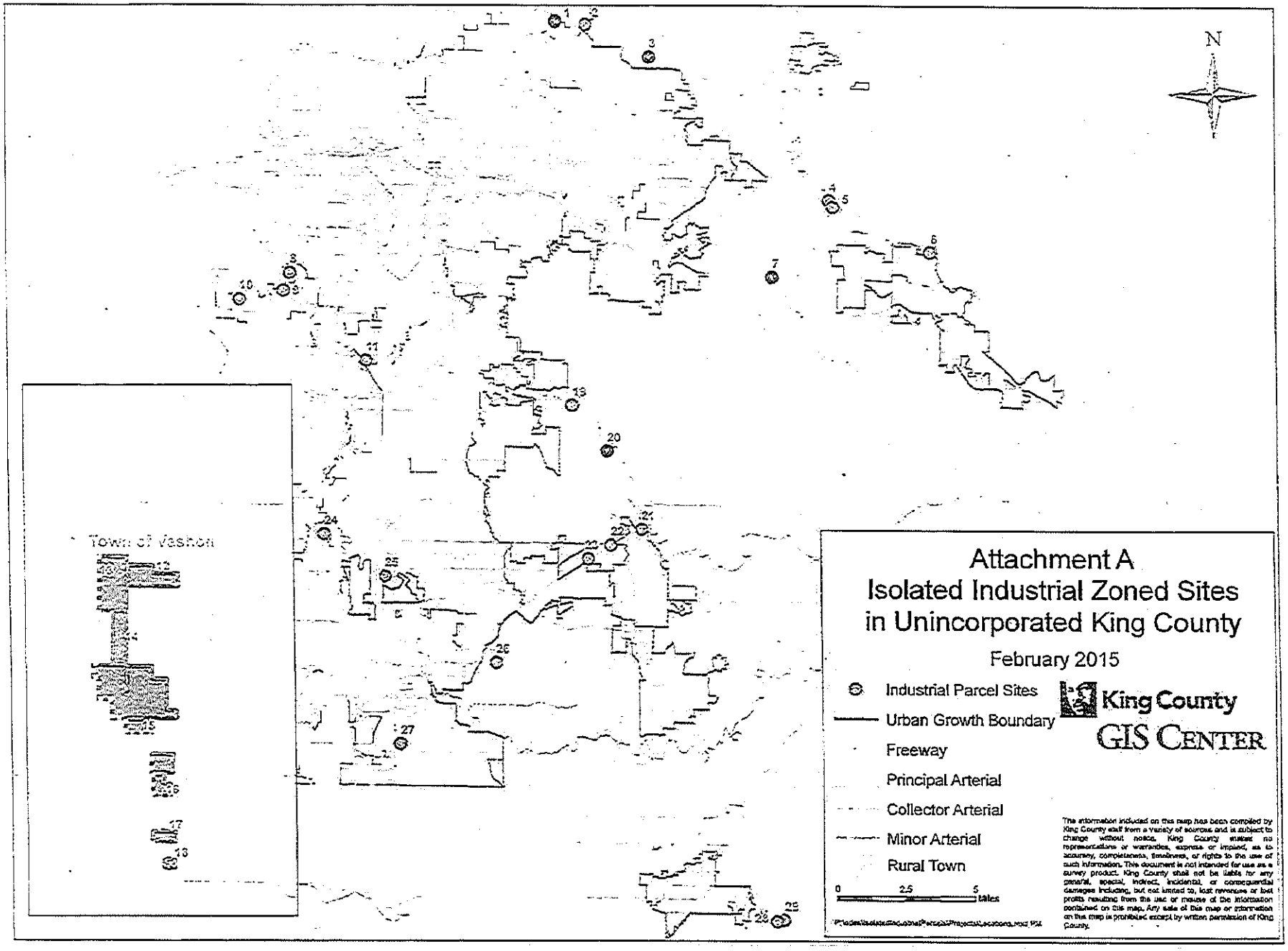
Ordinance 17893 calls for evaluating zoning designation changes for the parcels that meet the criteria. The zoning on parcels surrounding Tax Lot 202206-9011 is RA-5, Rural Area with 5 acre minimum. WSDOT's use of this parcel as a staging area for SR18 construction has ended; the portion of the lot not needed for SR-18 right-of-way has been segregated and sold. This is an appropriate time for the zoning to come into alignment with the Comprehensive Plan.

If the Council wishes to consider a rezone of Tax Lot 203306-9011, the department would be pleased to work with the Council and the Prosecutor's office on the process for bringing this issue forward.

Recommendation

The Department of Permitting and Environmental Review found one parcel that meets the criteria identified by the County Council in Ordinance 17893. The Department recommends the Council initiate a change of zoning designation to RA-5 (Rural Area – 5 acre minimum) for the following reasons:

- the King County Comprehensive Plan designation for this parcel is "Rural," as it is for the surrounding property;
- the prior use of the parcel ended when the state of Washington, the prior owner, completed its work on SR-18 and it sold off the remaining, unused portion of the original parcel; and
- the GMA calls for consistency between zoning and Comprehensive Plan designations and this action would address that requirement.



Attachment A
Isolated Industrial Zoned Sites in Unincorporated King County

February 2015

ATTACHMENT B

ISOLATED INDUSTRIAL (I) ZONED PARCELS IN UNINCORPORATED KING COUNTY

REPORT FOR ORDINANCE 17893

2/27/2015

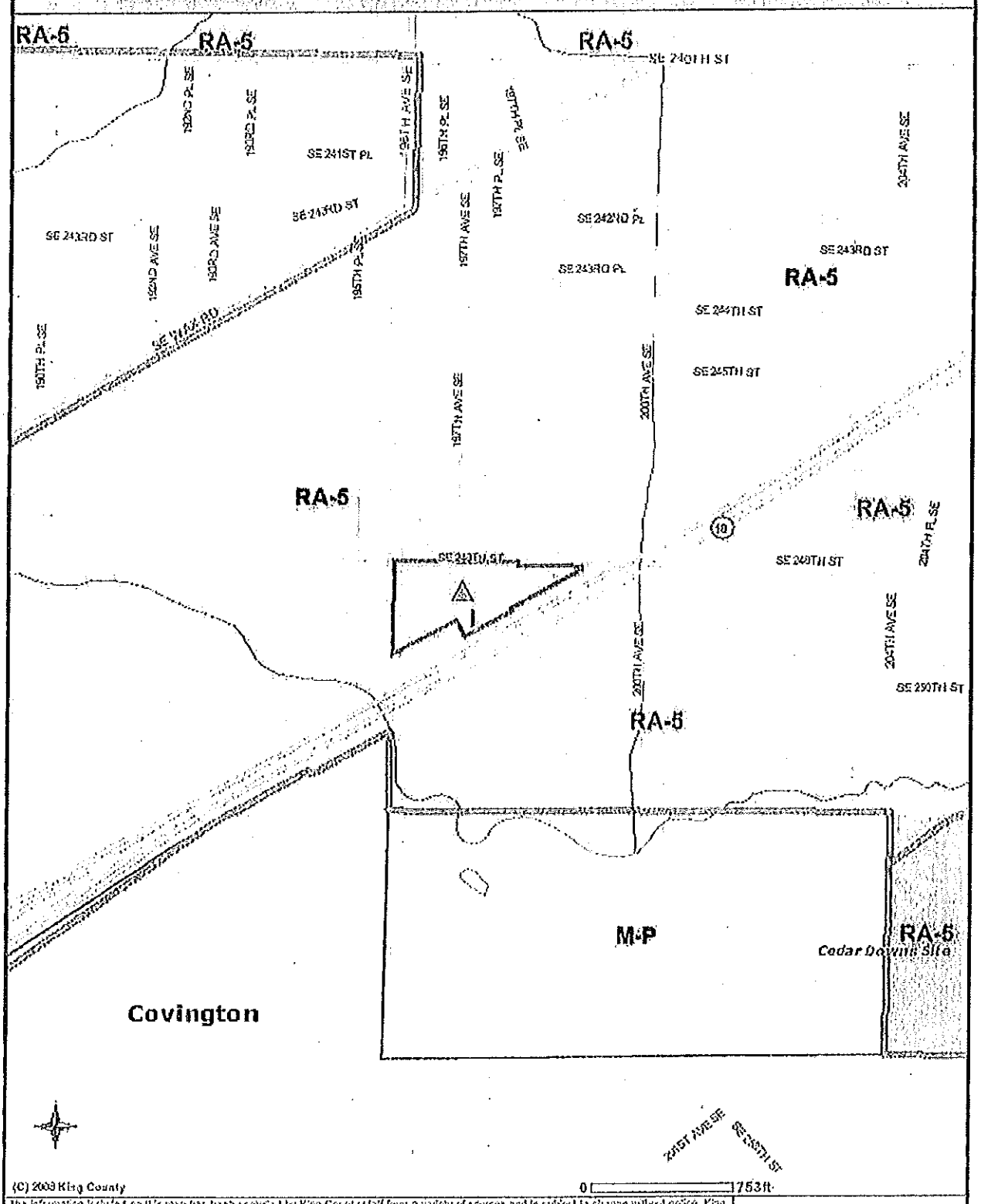
Map Number	Parcel #	Address	Zoning	Development Conditions	Acreage (Assessor's)	Current Owner (Assessor's)	Current Property Use (Assessor's)	UGB	Rural Town	Access	Notes	Isolated Industrial Zoned Parcel?
1	1225059195	17525 NE 65th St	I		19.98	BELLEVUE CITY OF/UTILITIES	Marymoor Park	Inside			Urban	NO - inside the UGB
2	0725069024	6419 196th AVE NE	I-P and RA-5	RC-P11	23.15	Doug Freeman	Vacant	Adjacent		See P suffix condition		NO - directly adjacent to UGB
3	2225069027 & 2225069097	22821 NE Redmond Fall City Rd / 22909 NE Redmond Fall City Rd	I-P	RC-P05	6.51	Northwest Pipeline / Lake Wash School Dist 414	Northwest Pipeline Offices / Lake Washington School District Property			Principal Arterial SR-202	Joint I-P site with access to principal arterial SR-202;	NO - Access to Principal Arterial
4	1524079003	33360 SE Redmond Fall City Rd	I-P	SC-P03	0.77	GERKE ROBERT M+SUSAN G	Fall City Storage		Fall City	Principal Arterial SR-202	Adjacent to CB/R/A zones, Snoqualmie River	NO - Located in a Rural Town
5	2475900595	33623 SE 43rd St	I-P	SV-P26	0.32	TAWNEY MICHAEL D & RENAE M	Fall City Welding & Residence		Fall City		Located in a Rural Town, Adjacent to CB/R zones.	NO - Located in a Rural Town
6	2024089035 & 2924089009	38600 SE Mill Pond Rd	I-P	SV-P12	8.4	WEYERHAEUSER REAL ESTATE DE & SNOQUALMIE MILL VENTURES LL	Snoqualmie Mill	Inside			Joint site; resource based industrial use in urban area directly adjacent to UGB	NO - inside the UGB
7		Preston Industrial Park	I-P	SV-P15 / SV-P19 / SV-P13			Designated area adjacent to the Rural Neighborhood Commercial Center of Preston				Large Conglomerate of industrial zoned sites	NO-in a designated area adjacent to the rural neighborhood commerical center of Preston
8		Cluster of Industrial Zoned Parcels in Urban Area	I					Inside			Cluster of I-zoned parcels between Duwamish River and SR-509	NO - Inside the UGB
9		Cluster of Industrial Zoned Parcels in Urban Area	I	I				Inside			Cluster of I-zoned parcels between Duwamish River and SR-509	NO - inside the UGB
10		Cluster of Industrial Zoned Parcels in Urban Area	I-SO	SO-090				Inside			Cluster of I-zoned parcels in the activity center of White Center	NO - inside the UGB
11		Cluster of Industrial Zoned Parcels in Urban Area	I and I-SO	SO-060				Inside			Cluster of I-zoned parcels in the urban area	NO - inside the UGB
12		Cluster of Industrial Zoned Parcels	I-P	VS-P30					Vashon		Cluster of I-zoned parcels in Rural Town of Vashon (VS-P30)	NO - Located in a Rural Town
13	3123039009	Vacant	I-P and RA-5	VS-P30 / SO-140	39.22	KING COUNTY-PARKS	Vacant Land (Island Center Forest)		Vashon			NO - Located in a Rural Town
14	3123039026	10304 SW 188TH ST	I-P-SO	VS-P30 / SO-140	9.89	ALBERTHAL RICHARD+ELIZABETH	Single Family Residence		Vashon		Located near cluster of I-zoned parcels in Rural Town of Vashon (VS-P30)	NO - Located in a Rural Town
15		Cluster of Industrial Zoned Parcels	I-P-SO	VS-P30 / SO-140					Vashon		Cluster of I-zoned parcels in Rural Town of Vashon (VS-P30)	NO - Located in a Rural Town
16	0622039077 & 0622039134	10021 SW CEMETERY RD / 10005 SW CEMETERY RD	I-P-SO	VS-P30 / SO-140	4	KING COUNTY-ROADS / WASTE CONNECTIONS INC	DEPT OF PUBLIC WORKS / DISPOSAL SERVICE		Vashon		2 I-zoned parcels in Rural Town of Vashon	NO - Located in a Rural Town

ATTACHMENT B

ISOLATED INDUSTRIAL (I) ZONED PARCELS IN UNINCORPORATED KING COUNTY

17	0622039165 & 0622039054	20019 VASHON HWY SW	I-P-SO	VS-P11 / SO-140	4	DINSMORE T M M	SUBURBAN PROPANE			Principal Arterial Vashon Hwy SW	2 parcels joint business site	NO - Access to Principal Arterial
18	0622039097	20221 VASHON HWY SW	I-SO	SO-140	1.3	KING COUNTY-TRANSIT	METRO PARK & RIDE LOT			Principal Arterial Vashon Hwy SW		NO - Access to Principal Arterial
19	1923069025	18825 SE RENTON MAPLE VALLEY RD	I		25.4	GOODNIGHT PROPERTIES INC	SUNSET MATERIALS			Principal Arterial SR-169		NO - Access to Principal Arterial
20	3223069098 & 3223069104	18417 Renton Maple Valley Rd SE & 18421 Renton Maple Valley Rd SE	I-P	TR-P32	1.4	DC NORTHWEST LLC	Truck Performance Northwest, Shop & Office			Principal Arterial SR-169	2 parcels joint business site	NO - Access to Principal Arterial
21		Cluster of Industrial Zoned Parcels in Urban Area	I-P	TR-P17		R & H MINING LLC	Vacant Properties	Inside			Cluster of I-zoned parcels in the urban area	NO - Inside the UGB
22	2022069073 & 2022069062	21005 SE 240TH ST	I		2	PUGET SOUND ENERGY/ELEC	POWER SUB-STATION			Minor Arterial SE 240th ST	2 I-zoned parcels PSE power substation site	NO - Access to Minor Arterial
23	2022069011	Vacant	I		6.5	MAPLE VALLEY INDUSTRIES LLC	Vacant				Historical Industrial Uses over time	YES
24	1522049053	23646 MILITARY RD S	I-P	P01	4.4	LLC	SEATTLE PET CEMETERY	Inside			Cluster of I-zoned parcels in the urban area	NO - Inside the UGB
25		Cluster of Industrial Zoned Parcels in Urban Area	I					Inside			Cluster of I-zoned parcels in the urban area	NO - Inside the UGB
26		Cluster of I-zoned parcels that make up Pacific Raceways	I-P and RA-5	ST-P02		RACE TRACK LLC	Pacific Raceways			Collector Arterial SE 204th ST	Cluster of I-zoned parcels that make up Pacific Raceways	NO - Access to Collector Arterial
27	3021059146	3203 D ST SE	I		0.5	BONEYARD INVESTMENTS LLC	Office and Shop	Inside				NO - Inside the UGB
28	2920079001	Vacant	F and I and UR		426	MUCKLESHOOT FEDERAL CORPORATION	Vacant			Principal Arterial SR-410		NO - Access to Principal Arterial
29	2820079010	Cluster of I-P zoned parcels along SR 410	I-P and F	FN-P01						Principal Arterial SR-410	Cluster of I-zoned parcels along SR-410	NO - Access to Principal Arterial

Attachment C - PARCEL NUMBER 2022069011



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Date: 2/27/2015 Source: King County iMAP - Property Information (http://www.metrokc.gov/GIS/iMAP)