



Denis Law Mayor

July 12, 2016

The Honorable Joe McDermott, Council Chair  
 Metropolitan King County Council  
 King County Courthouse  
 516 Third Avenue, Room 1200  
 Seattle, WA 98104

Dear Council Chair McDermott:

This letter provides comments from the City of Renton regarding the 2016 Executive Recommended Update to the King County Comprehensive Plan. There are some revisions in the current draft that we are concerned about. Specifically, the two policies below shown as drafted with proposed deletions ~~stricken~~ and new text underscored.

- U-126 King County, when evaluating rezone requests for increases in density, shall ~~work with~~ notify the city whose PAA includes the property under review; if a pre-annexation agreement exists, King County shall work with the city to ensure compatibility with the city's pre-annexation zoning for the area. King County shall also notify special purpose districts and local providers of urban utility services and should work with these service providers on issues raised by the proposal.
- U-208 King County ~~shall consider initiating new subarea~~ will engage in joint planning processes for the urban unincorporated areas ~~to assess the feasibility of in tandem with the annexing city upon a commitment from the city to annex through an interlocal agreement.~~ Such planning may consider land use tools such as:
- a. Traditional subarea plans or areawide rezoning;
  - b. Allowing additional commercial, industrial and high density residential development through the application of new zoning;
  - c. Transfers of Development Rights that add units to new development projects; and
  - d. Application of collaborative and innovative approaches  
King County will work through the Growth Management Planning Council to develop a plan to move the remaining unincorporated potential annexation areas toward annexation.

Finally, the Update includes a proposed schedule for engaging in planning with the seven Community Service Areas over the course of the next eight years. The *"sequencing was determined by subarea plans already underway, the ability to partner with other jurisdictions, anticipated land use changes within a Community Service Area, and striving for a countywide geographic balance in alternating years."* The Four

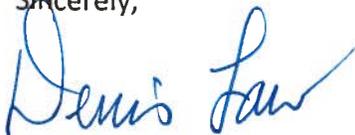
July 12, 2016

Creeks/Tiger Mountain area, which includes the East Renton Plateau area (where most annexations to Renton have been occurring for the last several years), is not scheduled until 2020.

Collectively and separately, these proposed amendments run counter to King County Countywide Planning (CPP) Policy DP-26 which states that the County will “*Develop agreements between King County and cities with Potential Annexation Areas to apply city-compatible development standards that will guide land development prior to annexation.*” The proposed amendments put conditions on the requirement embodied in this CPP. Policy U-126, as proposed, states that the County will only work with cities in regards to rezone requests if a pre-annexation agreement exists; zoning directly relates to development standards. Further, proposed Policy U-208 states that the County will engage in joint planning only if the city makes a commitment through an interlocal agreement to annex the area. With the adoption of Renton’s PAAs the City has made a strong commitment to annex the areas.

In 2012, Renton City Council adopted a resolution asking the County to engage the City in discussions regarding a potential interlocal. To date, the County has not taken steps to engage Renton in such an agreement. The City has sought to develop a strong working relationship with the County on matters of annexation areas transitioning to City jurisdiction. The current Update to the King County Comprehensive Plan works to diminish the City’s request and adds unnecessary and arbitrary requirements that are in conflict with previously adopted CPPs and run counter to our shared interest in engagement in a collaborative effort.

Sincerely,



Denis Law  
Mayor



Randy Corman  
Renton Council President

DL:aa

cc: Dow Constantine, King County Executive  
Renton City Council  
Jay Covington, City of Renton Chief Administrative Officer  
C. E. “Chip” Vincent, City of Renton Community & Economic Development Administrator

**From:** [Jensen, Christine](#)  
**To:** [CouncilCompPlan](#)  
**Subject:** FW: WRITTEN COMMENTS (ENVIR & ECON-RELATED, & FULL SET)--2016 KCCP UPDATE  
**Date:** Tuesday, July 12, 2016 11:56:57 AM  
**Attachments:** [Cvr\\_Ltr--GMVUAC\\_Comments--KCCP\\_Upd.doc](#)  
[GMVUAC\\_Comments--Envir.doc](#)  
[GMVUAC\\_Comments--Econ.doc](#)  
[GMVUAC\\_Comments--KCCP\\_Update.doc](#)

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[Learn more about the 2016 King County Comprehensive Plan Update](#)

*This email and any response to it constitute a public record and may be subject to public disclosure.*

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**From:** Peter Rimbo [mailto:[primbos@comcast.net](mailto:primbos@comcast.net)]  
**Sent:** Tuesday, July 12, 2016 10:06 AM  
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**Subject:** WRITTEN COMMENTS (ENVIR & ECON-RELATED, & FULL SET)--2016 KCCP UPDATE

KC Council TrEE Committee Chair Dembowski and Members,

Please see the attached Cover Letter which explains our review of the Executive's proposed 2016 King County Comprehensive Plan Update and describes the three attached sets of Written Comments.

Thank you.

Peter Rimbo  
Corresponding Secretary  
Greater Maple Valley Unincorporated Area Council (GMVUAC)  
[primbos@comcast.net](mailto:primbos@comcast.net)

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

*Please consider our shared environment before printing.*

Greater Maple Valley Unincorporated Area Council  
P.O. Box 101  
Maple Valley, WA 98038

July 12, 2016

To: King County Council TrEE Committee

Re: 2016 KCCP Update

Chairman Dembowski,

Since early 2015 the Greater Maple Valley Unincorporated Area Council (GMVUAC) has provided detailed inputs to the Executive's Office as it developed its 2016 KCCP Update Public Review Draft (PRD). We subsequently provided detailed comments on the PRD.

We have now completed our review of the Executive's proposed 2016 KCCP Update submitted to the KC Council on March 1 of this year. Herein please find our third and final submittal to the TrEE committee: (1) Environment-related comments (attached) and (2) Economic Development-related comments (attached).

Previously, we submitted our Transportation-related comments (May 3) and Growth Management-related comments (June 7).

In addition, for your convenience we have combined all our submittals into one Complete Set of Comments (attached).

Our Comments include detailed reviews of all the Update's Chapters, Appendices, and Attachments (except where noted) and are color-coded as follows: **COMMENTS**, **CONCERNS**, **RECOMMENDATIONS**, and **RATIONALE**.

We plan to remain involved in the Update process through final Council approval in December. Should TrEE Committee members or Staff have any questions regarding our Comments, please contact our Coordinator for the KCCP Update, Peter Rimbos, at 425-432-1332 or [primbos@comcast.net](mailto:primbos@comcast.net).

Thank you in advance for your careful consideration of our Written Comments.

Sincerely,

Steve Hiester  
Chairman, Greater Maple Valley Unincorporated Area Council

**Complete Set of Comments on Proposed 2016 KCCP Update**  
**Greater Maple Valley Unincorporated Area Council**

**Chapters**

**CHAPTER 1—REGIONAL PLANNING**

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

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

**CHAPTER 2—URBAN COMMUNITIES**

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

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

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

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

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

3. **U-207**

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

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

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

## Complete Set of Comments on Proposed 2016 KCCP Update Greater Maple Valley Unincorporated Area Council

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

### CHAPTER 3—RURAL AREA AND NATURAL RESOURCE LANDS

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

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

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

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

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

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

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

**RECOMMENDATION:** Marijuana growing operations, processing/manufacturing facilities, or distribution businesses should not be sited in Rural Area residential neighborhoods. Such businesses could be quite

**Complete Set of Comments on Proposed 2016 KCCP Update**  
**Greater Maple Valley Unincorporated Area Council**

*lucrative both with valuable product on the premises and amount of cash on hand. However, the County Sheriff's Office budget has been continually pared down and can no longer provide adequate Police protection to the Rural Area. This is a dangerous mix. Such operations must to be recognized as incompatible with the Rural Character the County and the people strive to maintain. In addition, KC Code definitions 21A.06.605 Home industry and 21A.06.610 Home occupation should be revised back to their pre-2008 Comprehensive Plan definitions to address the existing loophole whereby a residence can be converted to a business establishment without maintaining "the primary use of the site as a residence."*

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

**CONCERNS:** We have two major concerns:

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

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

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

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

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

5. **COMMENT:** *Following R-309 regarding the RA-2.5 zone, there needs to be more specifics related to the RA-5 zone, especially as related to private wells.*

**CONCERN:** *The King County Board of Health Code's Title 13's references to the "1972" cutoff and "5-acre" minimums (13.04.070 Domestic water supply*

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**Greater Maple Valley Unincorporated Area Council**

source., B. Private individual well source: “A private well on a lot five acres or greater in size or a lot created prior to May 18, 1972,...”) are not consistent with the “1994 Comprehensive Plan” cited in R-309.

**RECOMMENDATION:** Add a new Policy as follows:

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

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

*“If a local building department chooses not to apply public water system standards to other water sources, then it may apply any other criteria that it determines are appropriate to ensure that the water supply for a building is of sufficient quality and quantity for the intended use of the building. These criteria must be based on considerations of water quality and quantity, and not on other considerations, such as limiting density or the construction of unpopular facilities. Furthermore, the local building department may not act in an arbitrary and capricious manner in setting the criteria. E.g., *Rosen v. Tacoma*, 24 Wn. App. 735, 740, 603 P.2d 846 (1979). This means that its actions must not be willful and unreasoning, taken “without consideration and in disregard of facts and circumstances.” e.g., *Pierce Cy. Sheriff v. Civil Serv. Comm’n*, 98 Wn.2d 690, 695, 658 P.2d 648 (1983).” [Ref: <http://www.atg.wa.gov/ago-opinions/requirement-adequate-water-supply-building-permit-issued>] Consequently, such criteria must be based on “water quality and quantity, not to limit density, which is under the purview of and, thus, a decision made by the legislative body (i.e., King County Council), not the Board of Health or other agency.*

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

**RECOMMENDATION:** We strongly support the addition to item a.

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

- “e. Provide recreational opportunities that are compatible with the surrounding Rural Area.; or*
- f. Include home occupations and home industries.”*

**Complete Set of Comments on Proposed 2016 KCCP Update  
Greater Maple Valley Unincorporated Area Council**

7. R-326 “Except as provided in R-327:
- a. New schools and institutions primarily serving rural residents shall be located in neighboring cities and rural towns;
  - b. New schools, institutions, and other community facilities primarily serving urban residents shall be located within the ((UGA)) Urban Growth Area; and
  - c. New community facilities and services that primarily serve rural residents shall be located in neighboring cities and rural towns, with limited exceptions when their use is dependent on a rural location and their size and scale supports rural character.”

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

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

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

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

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

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

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

## Complete Set of Comments on Proposed 2016 KCCP Update Greater Maple Valley Unincorporated Area Council

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

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

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

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

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

## CHAPTER 4—HOUSING AND HUMAN SERVICES (No review)

## CHAPTER 5—ENVIRONMENT

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

***(E-106) E-112b “The protection of lands where development would pose hazards to health, property, important ecological functions or environmental quality shall be achieved through acquisition, enhancement, incentive programs and appropriate***

## **Complete Set of Comments on Proposed 2016 KCCP Update Greater Maple Valley Unincorporated Area Council**

regulations. The following critical areas are particularly susceptible and shall be protected in King County:

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

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

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

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

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

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

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

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

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

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

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

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

**E-513** “King County shall allow development within coal mine hazard areas if the proposal includes appropriate mitigation for identified, mine-related hazards using best available engineering practices and if the development is in compliance with all other local, state and federal requirements.”

## Complete Set of Comments on Proposed 2016 KCCP Update Greater Maple Valley Unincorporated Area Council

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

### 6. C. Achieving the Open Space System / Priorities

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

## CHAPTER 6—SHORELINE MASTER PROGRAM (No review)

## CHAPTER 7—PARKS, OPEN SPACE, & CULTURAL RESOURCES

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

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

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

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

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

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

## CHAPTER 8—TRANSPORTATION

## Complete Set of Comments on Proposed 2016 KCCP Update Greater Maple Valley Unincorporated Area Council

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

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

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

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

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

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

**RECOMMENDATIONS:** Besides **RECOMMENDATIONS** given under T-102 above, to begin to address the Rural road usage/funding imbalance problem State laws (RCWs 36.78, 46.68, 120-124, & 84.52) could be reviewed for opportunities to enable a more transportation-sustainable allocation of gas tax monies and provide more flexibility in revenues used. Working with the State, some mechanism should be developed, along with incentives, for cities to share revenues with Counties, possibly tied to growth that occurs in the absence of job opportunities. While we understand State law changes are outside the scope of the Comprehensive Plan update, policies herein should explore the Puget Sound Regional Council’s (PSRC’s) Transportation 2040

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**Greater Maple Valley Unincorporated Area Council**

*user-pays model by providing authority for usage charges, such as tolling key roads and methods to implement such strategies.*

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

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

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

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

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

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

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

***RECOMMENDATION:*** *Eliminate Policy T-224, as TDRs should not be used to satisfy Concurrency testing anywhere within the Rural Area. Concurrency is a tool used to ensure infrastructure keeps up with development. The use of TDRs to satisfy Concurrency testing does nothing to help reach that goal and, in fact, can hinder reaching that goal.*

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

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

6. **P. 8-38: IV. Financing Services and Facilities that Meet Local and Regional Goals/ B. Road-Related Funding Capabilities.** Rural Area taxpayers should not be providing diminishing tax monies any more than they already are to enhance or expand

## Complete Set of Comments on Proposed 2016 KCCP Update Greater Maple Valley Unincorporated Area Council

urban-to-urban travel corridors. King County should adopt a long-term vision that recognizes the reality of long-term road revenue shortfalls and should act proactively to avoid decreases in future funding levels. Policies herein should be based on such realities in order to be successful. Consequently, we recommend the following :

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

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

### CHAPTER 9—SERVICES, FACILITIES, & UTILITIES

1. **F-230** Please see **RECOMMENDATION** under **R-326c** above.
2. **F-236** *“In the Rural Area, King County land use and water service decisions support the long-term integrity of Rural Area ecosystems. Within the Rural Area, individual private wells, rainwater catchment, Group B water systems, and Group A water systems are all allowed. If an existing Group A water provider cannot provide direct or indirect service to new development per the exceptions in Policy F-233, a new public water system or private well may be established if it is owned or operated by the following, in order of preference:*
  - a. *By a satellite management agency approved by the state Department of Health under contract with the Group A system in whose service area the system is located, provided that the existing Group A water system remains responsible for meeting the duty to serve the new system under RCW 43.20.260; and*
  - b. *By a satellite management agency or an existing Group B system approved by both the State Department of Health and King County. If service cannot be obtained by means of the above stated options, then water service may be obtained by creation of a new system, use of private wells or rainwater catchment. All new public water systems formed in the Rural Area shall connect to the Group A water system in whose service area the new system is located when direct service becomes available.”*

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

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

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

**CONCERN:** *Our biannual Citizen Surveys, which have been conducted and published over the past decade, continually have indicated Rural Area residents do not want their wells metered.*

**RECOMMENDATION:** *Strike F-240 in its entirety.*

**Complete Set of Comments on Proposed 2016 KCCP Update  
Greater Maple Valley Unincorporated Area Council**

**CHAPTER 10--ECONOMIC DEVELOPMENT**

**1. Overarching comments:**

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

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

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

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

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

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

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

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

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

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

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

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

***“This includes programs for self-employment and self-directed employment opportunities seeking business marketing skills.”***

**5. ED-404** *“Through local subarea planning and partnerships with other agencies and organizations, King County should use zoning, incentives, or other measures to (~~ensure that an appropriate proportion of the land adjacent or near to major public~~*

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~~infrastructure facilities is used to capitalize on the economic benefit of that infrastructure. The surrounding land uses should be compatible with the economic development uses or a buffer provided as necessary))~~ capitalize on the economic benefit of infrastructure projects, in a manner consistent with existing and forecasted land uses, and other locational criteria.”

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

**CHAPTER 11—COMMUNITY SERVICE AREA PLANNING** (No comments)

**CHAPTER 12— IMPLEMENTATION**

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

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

### **Technical Appendices**

**Land-Use and Zoning Amendments** (No comments.)

**Technical Appendix A—CAPITAL FACILITIES** (No review.)

**Technical Appendix B—HOUSING** (No review.)

**Technical Appendix C—TRANSPORTATION** (No comments.)

**Technical Appendix C1—TRANSPORTATION NEEDS REPORT (TNR)**

1. **CONCERN:**

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

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

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

### **RECOMMENDATION:**

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

**RCW 43.62 -- DETERMINATION OF POPULATIONS -- STUDENT ENROLLMENTS**

**43.62.035 -- Determining population -- Projections**

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

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

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

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

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

**Complete Set of Comments on Proposed 2016 KCCP Update**  
**Greater Maple Valley Unincorporated Area Council**

**Attachments**

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

Attachment—AREA ZONING STUDIES

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

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

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

Attachment--DEVELOPMENT CODE STUDIES

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

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

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

**“21A.06 TECHNICAL TERMS AND LAND USE DEFINITIONS**

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

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

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

**Complete Set of Comments on Proposed 2016 KCCP Update**  
**Greater Maple Valley Unincorporated Area Council**

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

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

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

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

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

**Attachment—POLICY AMENDMENT ANALYSIS MATRIX (No comments)**

**Attachment—PUBLIC PARTICIPATION REPORT (No comments)**

# Environment-related Comments on Proposed 2016 KCCP Update

## Chapters

### CHAPTER 5—ENVIRONMENT

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

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

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

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

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

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

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

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

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

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

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

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

**COMMENT:** We support the Executive’s proposed additions of Policies E-499q1 and 499q2 to “implement a comprehensive floodplain management program” and “continue to exceed the federal minimum standards stipulated

## Environment-related Comments on Proposed 2016 KCCP Update

*by the National Flood Insurance Program for unincorporated areas,” respectively.*

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

**E-513** “King County shall allow development within coal mine hazard areas if the proposal includes appropriate mitigation for identified, mine-related hazards using best available engineering practices and if the development is in compliance with all other local, state and federal requirements.”

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

### 6. C. Achieving the Open Space System / Priorities

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

## CHAPTER 6—SHORELINE MASTER PROGRAM (No review)

## CHAPTER 7—PARKS, OPEN SPACE, & CULTURAL RESOURCES

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

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

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

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

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

**RECOMMENDATION:** *Add a third sentence to P-124 as follows: “Open Space and/or Trail Connections land trade agreements should not allow siting and approval of urban or largely urban-serving facilities in Unincorporated or Rural Areas.”* [Example: In early 2014, a Development Agreement between King County and YarrowBay concerning the Reserves at Woodlands just west of the City of Black Diamond permitted, in exchange for Open Space and some trail connections, an

## **Environment-related Comments on Proposed 2016 KCCP Update**

“urban-serving facility”--a massive Stormwater Retention “Lake” (~20-ac in size with a 40-ac footprint)--to serve (and help enable) the adjacent YarrowBay Master-Planned Developments wholly contained within the City of Black Diamond.]

# Economic-related Comments on Proposed 2016 KCCP Update

## Chapters

### CHAPTER 3—RURAL AREA AND NATURAL RESOURCE LANDS

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

***RECOMMENDATION:*** *As an addition to our previously submitted comments on R-324 add a new item f. to the above list, such that:*

- “e. Provide recreational opportunities that are compatible with the surrounding Rural Area.; or*
- f. Include home occupations and home industries.”*

### CHAPTER 10--ECONOMIC DEVELOPMENT

1. Overarching comments:

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

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

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

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

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

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

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

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

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

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

## Economic-related Comments on Proposed 2016 KCCP Update

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

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

***“This includes programs for self-employment and self-directed employment opportunities seeking business marketing skills.”***

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

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



## GREEN VALLEY/LAKE HOLM ASSOCIATION

August 6, 2016

To: King County Council

CC:

Ivan Miller - Comprehensive Planning Manager

John Taylor - Assistant Director of DNRP Land and Water Resources Division

Alan Painter - Manager of the Community Service Area

Subject: 2016 update to King County Comprehensive Plan, Chapter 5, E497

In September 2014 the newly formed Green Valley/Lake Holm Association, an association within the SE King County CSA, prepared a position paper (see attached) regarding protection of rural wells and springs. In this paper we recommended specific actions to ensure our essential rural wells and springs are protected from decreased quality or quantity by any land use change or water resource activity.

In 2015 the Green Valley/Lake Holm Association, through volunteer committee work, research, and meetings with John Taylor and Alan Painter prepared recommendations for the 2016 King County Comprehensive Plan update for further protection of rural water systems throughout the county. We were pleased when our recommendations were included in the Executive's proposed KCCP update, Chapter 5, E-497.

We ask the Council to support these recommendations as stated in the proposed E-497 changes. Without adequate quality and quantity of potable water, I'm sure you would agree that properties in the unincorporated areas of the county are of little value to their owners and King County alike. People everywhere depend on clean, safe water.

Thank you for your consideration,  
Green Valley/Lake Holm Association  
Gwyn Vukich - President



## GREEN VALLEY/LAKE HOLM ASSOCIATION

Mike Morris, President  
Andy Benedetti, Vice President  
Elizabeth Chadwick, Treasurer

Fran Seagren, Secretary  
Judith Carrier, Officer At-Large  
**E-Mail:** GVLHAssn@gmail.com

September 24, 2014

### POSITION PAPER REGARDING PROTECTION OF RURAL WELLS AND SPRINGS (PRIVATE AND CLASS B WATER SYSTEMS)

**SITUATION:** Our concern is the protection of rural wells and springs. After several years of pleading with Washington State and King County agencies, we feel our water systems are still vulnerable.

Since 2011, a number of rural residents downstream of Black Diamond have been involved in the public review of the massive development projects wherein upwards of twenty-thousand new residents will be added to the small rural town of Black Diamond. In addition, the adjacent Reserve at Woodlands King County development project will add seventy-seven homes with individual septic systems and a lake-sized storm water detention pond servicing both developments.

Soliciting State and County agencies to protect our rural water systems from these development impacts resulted in little or no help. Their answers included: we don't have budget, or it's not our responsibility. A small Class B system, whose neighbor plumbed into their main water line, received similar answers when requesting assistance. To compound the problem, in the spring of 2014, without thorough studies and without informing rural residents of potential impacts to their drinking water systems, King County pumped flood waters from Horseshoe Lake into a gravel pit instead of an engineered storm water detention pond.

Such large scale urbanization with major clear cutting, septic tanks, and urban chemical leaching into soils clearly could have significant impact on ground water flows and put at risk our rural wells and springs. Adding the periodic threats of smaller actions further increases these risks.

Despite being comprehensive and well-intended, current state and county laws are inadequate to protect private and Class B water systems. For example, in state law chapter 246-291 WAC, there is no water system plan to protect our rural water systems beyond a small protective radius around the water source. King County Title 13 and other regulations and programs do not provide for specific protections for rural water systems receiving ground water from surrounding lands that may be affected by development. (*see attachment #1*).

Without assurances of protection and full mitigation we feel vulnerable and fear violation.

**PROPOSALS:** To receive assurance our essential rural wells and springs are protected from decreased quality or quantity by any land use change or water resource activity, we propose the following:

***Risk assessment using best science:*** In any land use change or water resource activity approval process, there should be a condition included to identify and provide periodic impartial risk assessments, using best science techniques, for the rural water systems which could be affected by the proposed action. Depending on the level of risks, appropriate quality and quantity monitoring should be conducted plus potential impact mitigation identified, e.g., water purification systems or alternative water sources.

***Communication and coordination with rural property owners:*** Early in the approval process, all rural property owners whose wells or springs could be affected by the proposed action should be notified and involved when addressing potential risks and when considering associated monitoring and mitigations. Ongoing property owner support should be provided by coordinated and funded government agencies with well-defined and communicated responsibilities, so rural property owners know where to go for assistance with water issues.

**REQUEST:** We request that the Growth Management Act, the County and City Comprehensive Plans, and associated regulating documents be updated per our proposals and adhered to meticulously--the goal being to maintain the distinct character of our rural areas and to protect our chosen rural life style.

See attached for details and printable position paper – [click here](#)

## RESOLUTION NO. 483

### A RESOLUTION OF THE WOODINVILLE CITY COUNCIL SUPPORTING ENFORCEMENT OF KING COUNTY ZONING CODES; SUPPORTING INCREASED PROTECTIONS OF AGRICULTURAL AND RURAL LANDS IN AND SURROUNDING THE SAMMAMISH RIVER VALLEY; AND SUPPORTING TRANSIT IMPROVEMENTS IN THE SAMMAMISH VALLEY AND THE CITY OF WOODINVILLE.

---

**WHEREAS**, King County's 2016 Comprehensive Plan Amendment process is underway and includes a study of wine, agriculture, and tourism in the Sammamish River Valley; and

**WHEREAS**, Sammamish River Valley wine tourism relies in part on unobstructed views of working agricultural land to draw wine tourists; and

**WHEREAS**, agricultural land is a nonrenewable resource; and

**WHEREAS**, the citizens of King County voted in 1979 to fund a Farmland Preservation Program that includes the Sammamish River Agricultural Production District for the purpose of preserving farmland, agriculture, and open space (see

<http://www.kingcounty.gov/depts/dnrp/wlr/sections-programs/rural-regional-services-section/agriculture-program/farmland-preservation-program.aspx>); and

**WHEREAS**, the average price of high-quality farmland in Washington has increased 25 percent in the last year, and nearly 50 percent in the last four years (*Seattle Times*, "Latest Washington real-estate gold rush: farms," July 20, 2016, <http://www.seattletimes.com/business/real-estate/latest-washington-real-estate-gold-rush-farms/>); and

**WHEREAS**, Washington has lost more than a million acres of farmland between 1997 and 2012 ([https://www.agcensus.usda.gov/Publications/2012/Full\\_Report/Volume\\_1,\\_Chapter\\_1\\_State\\_Level/Washington/st53\\_1\\_001\\_001.pdf](https://www.agcensus.usda.gov/Publications/2012/Full_Report/Volume_1,_Chapter_1_State_Level/Washington/st53_1_001_001.pdf)); and

**WHEREAS**, King County Council studies to consider loosening restrictions on Rural and Agricultural land in the Sammamish Valley help fuel land speculation, resulting in further price increases that make agricultural land too expensive for farmers (*Attachment 1*); and

**WHEREAS**, development has already made some Sammamish Valley agricultural acreage too wet to farm (*Attachment 2*); and

**WHEREAS**, King County has modest protections such as SO-120 (the Agricultural Production Buffer Special District Overlay, KCC 21A.38.130) to prevent upslope development from harming agricultural land but these protections have proven inadequate (*Attachment 3*); and

**WHEREAS**, Washington's Growth Management Act Goal 8, RCW 36.70A.020(8), encourages conservation of agricultural lands and discourages incompatible uses (*Attachment 4*); and

**WHEREAS**, King County's Countywide Planning Policy DP-57 discourages incompatible land uses adjacent to designated Resource Lands including agricultural land (*Attachment 5*); and

**WHEREAS**, The Washington Supreme Court has held that agricultural land must be protected under the Growth Management Act, *King County v. Central Puget Sound Growth Management Hearings Board*, 142 Wn.2d 543 (2000), recognizing that "allowing incompatible uses nearby impairs the viability of the resource industry" (referring to agriculture), *City of Redmond v. Central Puget Sound Growth Management Hearings Board*, 136 Wn.2d 38 (1998); and

**WHEREAS**, King County's Countywide Planning Policy DP-50 requires that new nonresidential uses in the Rural Area be limited to uses that are demonstrated to serve the Rural Area (*Attachment 6*); and

**WHEREAS**, a small number of wine tasting rooms and retail sales businesses—correctly characterized as urban uses—operate in unincorporated King County in violation of King County code, are built without environmental or building permits, disrupt traffic, fail to provide adequate parking, increase storm water runoff, and thus compete unfairly with law-abiding businesses (King County Code Enforcement complaints ENFR15-0287, ENFR15-0486, ENFR13-0143, ENFR15-0538, ENFR15-0525, and ENFR12-0239); and

**WHEREAS**, the sprawling style of these illegal uses, environmental harm to nearby agricultural land, and availability of suitable land inside the Woodinville city limits for such uses mean that expansion of the Urban Growth Boundary in order to accommodate such uses is unnecessary and contrary to the criteria identified in Countywide Planning Policies DP-16 and DP-17 (*Attachment 7*); and

**WHEREAS**, Woodinville has ample vacant and redevelopable land in its retail and industrial zones (*Attachment 8*); and

**WHEREAS**, the Vision Statement in Woodinville's Comprehensive Plan recognizes the economic and cultural importance of healthy farmland and a healthy agricultural industry in the Sammamish Valley (*Attachment 9*); and

**WHEREAS**, the presence of approximately 100 wineries and tasting rooms, plus numerous breweries, distilleries, and cideries inside the Woodinville city limits demonstrates that wineries and tasting rooms can thrive while complying with GMA-mandated zoning and permitting requirements; and

**WHEREAS**, parking is insufficient during peak tourism hours in the City's wine districts;

**NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:**

**Section 1.** The Woodinville City Council respectfully requests that the King County Council take actions that will ensure enforcement of current code in and around the Sammamish Valley.

As an underlying guide to implementation, the Woodinville City Council respectfully requests that the law-abiding citizens, communities, and environment of King County, not the parties violating code, be regarded as the "customers" of code enforcement (*Attachment 10*).

As another guide to implementation, the Woodinville City Council respectfully requests that code enforcement shift its standards closer to both the letter and spirit of the codes. This would end such practices as regarding a cot as proof of residency.

The Woodinville City Council regards code enforcement as a necessity for the continued existence of agriculture in the Sammamish River Valley. We regard any discussion of relaxing code as compounding what is already a very real threat to the continued viability of Sammamish River Valley agriculture.

**Section 2.** The Woodinville City Council respectfully requests that King County Council not only preserve all Agricultural zoning, but also increase the protections on upslope Rural land, because the current protections have proved inadequate.

Agriculture has value in its own right, as affirmed by King County voters when they approved the Farmland Preservation Program in 1979. It is also the basis for Woodinville wine country tourism: without the country aesthetic that the farmland provides, there is no Woodinville wine country.

Preserving Agricultural zoning is necessary, but not sufficient. Upslope development has already made some Agricultural acreage too wet to farm (*Attachment 2*). This indicates that the existing protections that apply to nearby Rural land, such as SO-120, are insufficient and should be strengthened, broadened in the scope of development and permitted uses covered, and extended to cover more geographic area. Preserving farmland, agriculture, and farmers means that current proposals for Rural land, including retail overlays, relaxed permitted uses, Urban Growth Boundary amendments, rezones, relaxed definitions, relaxed standards, and any other changes that allow urban activities upslope of Agricultural zoning should be rejected by the King County Council on the grounds that they have already harmed, and are likely to further harm, agriculture and farmers in the Sammamish Valley.

**Section 3.** The Woodinville City Council respectfully requests that the King County Council preserve views of working agricultural land from the roadways in the Sammamish River Valley.

Unobstructed views of productive farmland are essential to the ability of the Sammamish Valley to draw tourists; places like Seattle already have numerous production wineries much closer to the homes or lodgings of wine tourists. Therefore, developing the parcels along the roadside between Woodinville and Redmond not only damages the feasibility of using the land for agricultural uses by increasing runoff, but also erases tourism value of the Sammamish River Valley by obscuring the views that attract tourists.

**Section 4.** The Woodinville City Council respectfully requests that the King County Council set a higher bar for initiating consideration of relaxation of existing protections for the Sammamish River Valley every four years, as even such studies destabilize agricultural land prices, thereby jeopardizing agriculture in the Valley (*Attachment 1*).

Support for relaxing codes is restricted to a small number of developers, real estate brokers, land speculators, and businessmen who are unwilling to pay urban prices and undertake urban permitting processes in their quest to open urban businesses. Accommodating the wishes of this small number of individuals jeopardizes the livelihood of farmers and the environment that are the basis of the tourism and wine economy in the Sammamish Valley.

**Section 5.** The Woodinville City Council commits to continuing to make Woodinville a hospitable host for manufacturing and sale of alcoholic beverages.

The City of Woodinville hosts approximately 100 wineries, breweries, distilleries, and tasting rooms inside its city limits – a strong indication that its land use codes are a good fit for the industry. The City is currently reviewing its zoning code, permitted uses, and permitting processes to identify opportunities for making the area inside the city limits (inside the Urban Growth Boundary) even more inviting to the wine and beverage industries.

The overwhelming majority of the wineries and tasting rooms in Woodinville wine country operate successfully within the Woodinville city limits. With nearly 190 acres of vacant and redevelopable commercial land inside the city limits, there is ample space for every winery in the state of Washington to have a tasting room inside the Woodinville city limits (*Attachment 8*).

The commercial or industrial-scale manufacture and sale of wine, as with any other product being manufactured and sold at such a scale and at a location other than where the raw materials are grown, are fundamentally urban activities. The fact that so many wineries are conducting these urban activities successfully in Woodinville is proof that the industry can not only survive, but thrive in an urban setting. The same is true of tasting rooms; they are fundamentally retail points of sale, and therefore an urban activity.

**Section 6.** The Woodinville City Council respectfully requests that the King County Council explore ways to provide public transit and alleviate parking shortages in Woodinville's wine districts.

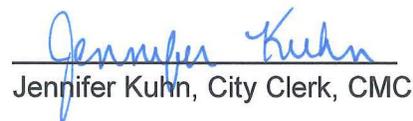
No public transit serves Woodinville's wine districts. This forces tourists to visit by private vehicles, causing even more demand for parking than most commercial districts experience. Woodinville receives many requests by tourist-oriented business owners for transit service. We are grateful for Metro's current Alternative Services study. We ask that the King County Council also consider adding fixed-route service serving Woodinville's Park & Ride and covering Woodinville's downtown, Hollywood, West Valley, and North Industrial wine districts. This fixed route service would complement King County's ongoing efforts to better utilize existing park & ride facilities by transporting tourists, local employees, citizens, and transit-dependent individuals from available remote parking to their destinations throughout the City.

**RESOLVED** this 2<sup>nd</sup> day of August 2016.



Bernard W. Talmas, Mayor

ATTEST/AUTHENTICATED:



Jennifer Kuhn, City Clerk, CMC

Summary of Available/Recently Sold Property  
In Woodinville Wine Country

Current Owner	Property Address	Parcel Number	Acres	Assessor's Appraised Value	Asking Price	Asking Price Differential	Listing Price Source	Sale Price
Walker	13229 Woodinville Redmond Rd NE	2326059024	4.00	\$557,000	\$10,000,000	1695.33%	Annie McKenzie-Mutch (Agent)	
Carlson	15132 148 <sup>th</sup> Ave NE	3407700011	4.15	\$371,000	\$2,600,000	600.81%	Windemere Real Estate	
Brown	16725 140 <sup>th</sup> Ave NE	1026059031	7.98	\$715,000	\$3,000,000	319.58%	North Pacific Properties	\$1,850,000
Zante	13425 NE 171 <sup>st</sup> St	1026059030	14.90	\$1,022,000	\$7,000,000	684.93%	Zante family comments to Woodinville Planning Commission	
Leone	14701 148 <sup>th</sup> Ave NE	1526059051	1.48	\$445,000				\$995,000

Comment originally submitted to the King County Council for the 2012 Comprehensive Plan update:

**THE ROOT CONNECTION CSA**  
**13607 Woodinville-Redmond Rd NE**  
**PO Box 267**  
**Woodinville Wa 98072**  
**[www.rootconnection.com](http://www.rootconnection.com)**

December 18, 2011

Re: Proposal to move the Urban Growth Boundary in the Sammamish Valley

I have been a farmer and farm manager in the Sammamish Valley for over 26 years. There are specific reasons why I am opposed to moving of the UGB, which I will address here.

Any change in density of lands surrounding farmlands to farms has an immediate and detrimental effect on farming production:

A number of years ago, new houses were built on the hill directly across from the Root Connection property, along with a new road leading up to those houses. The buildings, roads and driveways have been the direct cause of an extreme increase in runoff from the hill, which flows via piping underneath the Wood-Red Rd. and empties directly onto our farmland. This has resulted in appx. one-fourth of our acreage now being too wet to farm. ***Since our average annual production of vegetables on this farm is 11,250 lbs per acre, this means that 45,000 lbs (22.5 tons) of much needed food production has been lost – forever.***

Since the land this farm is on is in the Farmland Preservation Program, this loss is not only the farmer's loss, but a loss to all the citizens of King County who voted to tax themselves so that food could be produced here.

Similar problems have occurred at another property I manage, a 47 acre piece on the corner of the Wood-Red Rd. and NE 124<sup>th</sup> St. (commonly referred to as the "South 47"). Citizens formed an LLC to purchase this property, which was then put into the Farmland Preservation Program. The motivation was to make sure this property would always be farmed. **Unfortunately, due to increased building and commercial activities surrounding this farm, 9 acres are now too wet to farm, and drainage of the whole parcel has been affected.**

When will we stop using the lands that are needed to feed our population as a dumping ground for water run-off and the resulting contamination that results? Moving the UGB will destroy the surrounding farmlands, and it will not take long. We cannot keep nipping at the ends of the valley and expect the middle to survive. A healthy ecosystem has to maintain a certain size in order to function. Some of these properties considered in this ill-advised plan have wetlands or are adjacent to wetlands. I'm sure that proposals for dealing with that would be to push that water and runoff from increased building and pavement onto the neighboring farms, which would then cause flooding and pollution. Anyone who says this won't happen is not a farmer and really doesn't know what they are talking about. This would also leave the door open for these properties to be annexed to Woodinville, and we can see how well that worked out for the farmlands that used to exist in the valley.

Yes, yes, most folks who are wary of encroachment on farmland areas would bemoan the loss of "open space", "quality of life", "rural atmosphere", etc. And while these reasons are important for citizens who live in the area, as well as businesses such as some wineries and restaurants that depend on a somewhat picturesque landscape, the most important reason of all is to protect our food security in local food production.( As in "Agricultural Production District".)

If we can stop infringing on the APD, we will be able to protect the lands that remain. ***There is enough farmland available in the Sammamish Valley to produce over 12 million pounds of vegetables annually, enough to provide more than 80,000 people with 150 lbs each year.*** We just need some patience. We almost lost all our farmers 30 years ago, and it's taken that long for new farmers to make some of these lands productive again. It may take another 30 years before the majority of the parcels are actively farmed. Do we have to go the way of all those other valleys where the farmlands have been destroyed? That's how it happens – little by little – can we have the wisdom to learn from the past and be different?

Respectfully,

Claire Thomas  
President, Roots of Our Times Cooperative

King County agricultural buffer

## SO-120: Agricultural Production Buffer SDO

### *Summary*

An agricultural production buffer special district overlay provides a buffer between agricultural and upslope residential land uses.

### *Story*

Amended by Ord. 15028, 10/11/2004 (Map)  
Amended by Ord. 15032, 10/11/2004 (Language)  
Amended by Ord. 15326, 11/25/2005 (Map)

### **Description**

Agricultural Production Buffer SDO

### **Development Condition Text**

#### **21A.38.130 Special district overlay - agricultural production buffer.**

A. The purpose of the agricultural production buffer special district overlay is to provide a buffer between agricultural and upslope residential land uses. An agricultural production buffer special district overlay shall only be established in areas adjacent to an agricultural production district and zoned RA.

B. The following development standard shall apply to residential subdivisions locating in an agricultural production buffer special district overlay: Lots shall be clustered in accordance with K.C.C. 21A.14.040 and at least seventy-five percent of a site shall remain as open space, unless greater lot area is required by the Seattle-King County department of public health. (Ord. 15032 § 50, 2004; Ord. 12823 § 8, 1997).

<http://www.kingcounty.gov/depts/permitting-environmental-review/gis/DevConditionsSearch/SDO/SO-120.aspx>

Washington Growth Management Act

**RCW 36.70A.020**

**Planning goals.**

The following goals are adopted to guide the development and adoption of comprehensive plans and development regulations of those counties and cities that are required or choose to plan under RCW [36.70A.040](#). The following goals are not listed in order of priority and shall be used exclusively for the purpose of guiding the development of comprehensive plans and development regulations:

...

(8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.

## King County Countywide Planning Policies

**DP-57** Discourage incompatible land uses adjacent to designated Resource Lands to prevent interference with their continued use for the production of agricultural, mining, or forest products.

## King County Countywide Planning Policies

**DP-50** Except as provided in Appendix 5 (March 31, 2012 School Siting Task Force Report), limit new nonresidential uses located in the Rural Area to those that are demonstrated to serve the Rural Area, unless the use is dependent upon a rural location. Such uses shall be of a size, scale, and nature that is consistent with rural character.

## King County Countywide Planning Policies

**DP-16** Allow expansion of the Urban Growth Area only if at least one of the following criteria is met:

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

**DP-17** If expansion of the Urban Growth Area is warranted based on the criteria in DP-16(a) or DP-16(b), add land to the Urban Growth Area only if it meets all of the following criteria:

- a) Is adjacent to the existing Urban Growth Area;
- b) For expansions based on DP-16(a) only, is no larger than necessary to promote compact development that accommodates anticipated growth needs;
- c) Can be efficiently provided with urban services and does not require supportive facilities located in the Rural Area;
- d) Follows topographical features that form natural boundaries, such as rivers and ridge lines and does not extend beyond natural boundaries, such as watersheds, that impede the provision of urban services;
- e) Is not currently designated as Resource Land;
- f) Is sufficiently free of environmental constraints to be able to support urban development without significant adverse environmental impacts, unless the area is designated as an Urban Separator by interlocal agreement between King County and the annexing city; and
- g) Is subject to an agreement between King County and the city or town adjacent to the area that the area will be added to the city's Potential Annexation Area. Upon ratification of the amendment, the Countywide Planning Policies will reflect both the Urban Growth Area change and Potential Annexation Area Change.

Woodinville Buildable Lands Inventory

WOODINVILLE COMPREHENSIVE PLAN UPDATE | EXISTING CONDITIONS INVENTORY

**Exhibit 2.4-17  
Commercial Buildable Land by Zone, 2014 Analysis**

Zone	Gross Acres		Net Acres	
	Vacant	Redevelopable	Vacant	Redevelopable
CBD	6.9	120.2	2.8	68.8
GB	16.3	38.9	7.9	23.9
NB	0.2	1.0	0.1	0.8
O	0.5	0.0	0.5	0.0
R-48/O	0.0	0.0	0.0	0.0
TBD	2.0	1.6	0.4	0.6
I	39.0	51.7	25.2	37.7
<b>Total</b>	<b>64.9</b>	<b>213.4</b>	<b>36.8</b>	<b>131.8</b>

Source: City of Woodinville, 2013; BERK, 2014

Net buildable acres represent the amount of land available for actual development after critical areas, market factors, right-of-way needs, and other factors are considered. Applying these factors nets the City 36.8 acres of vacant buildable land and 131.8 acres of buildable land in its commercial and industrial zones. Net buildable acres are used to determine the amount of additional building square feet and employment capacity a parcel can support given the current zoning.

**Note #1:** On December 31, 2015, a Development Agreement in Woodinville's Tourist Business District lapsed. This adds roughly 20 acres to the vacant land area in the Tourist Business District, for a total of 22 vacant acres in the heart of the Sammamish River Valley.

**Note #2:** Removing the acres unavailable for wineries or tasting rooms (NB, O, & R-48/O districts) and adding the 22 vacant acres described in Note #1, the total vacant and developable land for these type of uses within Woodinville City Limits is approximately 187.3 acres.

Woodinville Comprehensive Plan, Vision Statement

In the year 2035, Woodinville is a safe, welcoming, family-friendly, and diverse community that supports a successful balance of neighborhoods, parks and recreation, businesses, and tourism. We have preserved our Northwest woodland character, our open space, and our clean environment. Woodinville is a vibrant community in which to live, work, play, and visit. We have cultivated a compact, inviting downtown in which locally owned businesses can successfully establish and thrive. We have enhanced our ability to move about the community by all modes of travel. We have strengthened the agricultural and wine industries in Woodinville, the Sammamish Valley, and throughout the state by transforming locally sourced food, libations, and hospitality into an internationally renowned tourism experience.

## Mike Tanksley to John Starbard, 18 Feb 2016

- > Subject: Re: code enforcement reform status
- > From: wmtanksley@comcast.net
- > Date: Thu, 18 Feb 2016 15:14:27 -0800
- > To: John.Starbard@kingcounty.gov
- >
- > John,
- >
- > Yes, thanks for your response, below, and mostly agreed. But leaving the condescension towards "less familiar" and "less affluent" Rural residents aside, we need to be clear about what's going on here:
- >
- > The problems we are facing around our community come from well-heeled property owners who are very aware of their violations. They have a long-held agenda to urbanize our Rural community for their own profit and are actively thumbing their noses at our municipality, King County, as well as at our law-abiding citizens and businesses, in pursuit of that goal.
- >
- > To our discussion of "customers" vs. "violators", you cannot provide "services" to interests that don't want those services, and these scofflaws do NOT want your "services". When law-breakers have been given a chance to correct their infractions, but instead make clear their intention to continue breaking the law, we need to leave the "customer" mentality behind and deal with them on a law enforcement perspective.
- >
- > Meanwhile, our law-abiding citizens and businesses DO want your "services" in the form of effective law enforcement to defend the greater property and business rights of our community!
- >
- > Perhaps you are familiar with the crisis we are having across the west with characters such as the Bundys, self-styled militias and rogue sheriffs. The Malheur stand-off was in large part the result of a federal government that has been too timid to stand up to such outlaws, such as the 2014 Bundy stand-off in Nevada. Such accommodation has encouraged numerous less-publicized outrages across the west. (I can send you some quality reading on the subject if you'd like)
- >
- > What we have here is very similar, only the guns are being kept (just barely) behind the counters. The longer we abide lawlessness such as we have with the illegal tasting rooms around the outskirts of Woodinville, the more trouble we invite.
- >

> And now, in an effort to garner support, our local troublemakers are dragging businesses that we have no quarrel with into the spotlight, such as the businesses which are actively making wine or other spirits on their properties.

>

> In other words, they are doing a good PR job of using fear to spiral the issue well beyond their focused interests.

>

> So, I hope the consulting company can be approved and get into the job ASAP. The longer this goes unresolved, the worse it gets, which is exactly what our local outlaws (and their abettors) want.

>

> Thanks,

> MT

>

>

> On Feb 18, 2016, at 12:56 PM, Starbard, John <John.Starbard@kingcounty.gov> wrote:

>

> Michael:

>

> Last year, when we did our study, we spent a fair amount of time early on defining who was our "customer." Our unsatisfying answer--as you correctly identify below--is that in King County the code enforcement violator is the customer. Why? We concluded that the vast majority of the processes we have address the violation and steps to seek compliance. Impacts to the neighbors are only a bit player in the codes as they exist today. Again, that was our UN-satisfying conclusion.

>

> My speculation and personal observation is that in the past some may have viewed Rural residents as less familiar with land use codes and also less affluent to correct violations. Therefore, give our Rural violators (although our codes apply to all unincorporated areas, some of which are Urban) more time and don't over penalize them financially. In fact, a similar argument MAY have been made even for our Urban unincorporated areas, which include areas like White Center and Skyway, which, in fact, are not affluent.

>

> But these sensitivities don't take into full account people who prefer to have twenty acres of neatly maintained land and buildings who don't appreciate when less care is applied to neighboring properties, affluent people who are aware of the weaknesses of our current code and can calculate that a few hours of a lawyer is less than more hours of an engineer and the cost of following all the rules, or that because our penalties are not that expensive they can be factored in merely as a cost of doing business.

>

> For me, in this case, correctly identifying the "customer" may be less valuable than correctly framing or stating what the "service" is. Perhaps the service is about safety, protecting the environment, protecting property rights and values, upholding the laws--for all, regardless of where the violation exists. Because often an area is impacted, not only a site, even for cases of hoarders (e.g. rodents).

>

> John Starbard, Director  
> King County  
> Department of Permitting and Environmental Review  
> 35030 S.E. Douglas Street, Suite 210  
> Snoqualmie, WA 98065  
> Phone: (206) 477-0382

>  
>

> -----Original Message-----

> From: Michael Tanksley [mailto:wmtanksley@comcast.net]  
> Sent: Tuesday, February 16, 2016 4:32 PM  
> To: Starbard, John  
> Subject: Re: code enforcement reform status

>

> John,

>

> That's good news. We would be interested in providing some input to the firm once they are ready to start work.

>

> One point in particular that may merit discussion within DPER as well as with the consulting firm:

>

> There must be a recognized differentiation between "customers" and "violators".

>

> In an effort to be kinder and gentler, KC code enforcement (CE) harbors a culture that defines all violators as "customers". Unfortunately, this sometimes leads to a relationship where CE ends up abetting an activity that is in violation of the code.

>

> While there are certainly cases where it is appropriate for DPER to work with willing property or business owners to bring their activities into compliance with our laws (and who might appropriately be referred to as "customers"), there is another side where underlying zoning and codes simply do not allow certain activities or where violators refuse to adjust their activities to comply with the law.

>

> Interests that willfully violate our laws need to know they will face an effective and swift law enforcement mechanism if they continue their violations. These violators should not be referred to, nor perceived as, "customers".

>

> Put another way, the majority of our communities are composed of law-abiding citizens. We need for our rights to be upheld against those who are willing to trample on them in pursuit of their own narrow interests.

>

> This will require a culture change along with policy changes within the department.

>

> Thanks for getting back to me on this.  
>  
> Best,  
> Michael Tanksley  
> President  
> Hollywood Hill Association  
>  
> On Feb 16, 2016, at 3:02 PM, Starbard, John <John.Starbard@kingcounty.gov> wrote:  
>  
> Michael:  
>  
> When we completed the code enforcement analysis last year, we felt we needed to do something about it.  
>  
> We have retained a consulting firm to: 1) conduct and present a survey of code enforcement best practices from across the nation, and 2) prepare a detailed, annotated outline of a proposed replacement of the County's current title 23 in the King County Code. We asked for that because we were searching for a firm that had understanding and expertise in the service rather than the specific skill of code writing. Our own staff and our attorneys can use the outline to come up with draft code.  
>  
> We took this approach because, frankly, our current Title 23 is so convoluted that trying to amend it seemed less fruitful than starting with a clean sheet of paper and designing a new program.  
>  
> The consulting firm is working out the final details of its contract with the County (with central contracting), then we'll dig into the scope. We are looking to have a draft annotated outline in May of this year.  
>  
> JFS  
>  
> -----Original Message-----  
> From: Michael Tanksley [mailto:wmtanksley@comcast.net]  
> Sent: Tuesday, February 16, 2016 10:31 AM  
> To: Starbard, John  
> Subject: code enforcement reform status  
>  
> John,  
>  
> We are interested in knowing the status of the measures we discussed last fall in reference to reform of code enforcement for unincorporated King County.  
>  
> Everyone we speak to says that you are the one to talk to.  
>

> Any information that you might provide would be helpful.

>

> Thank you.

>

> Michael Tanksley