

### Comments on the Comprehensive Plan from the Council Web Site

Updated April 23, 2016

First Name	Last Name	District	Comment
Bonnie	Morrison	3	<p>Terrribly interested in stopping the Remlinger Investment Property from using the 4 to 1 plan to take farm land and convert it to tightly packed new housing. This would be adjacent to 70 brand new homes that ate up farm land adjacent to the city of Carnation and boarding Remlinger's proposed sight. Right now I look at the 70 new homes where part of a dairy farm existed for many decades. I live on adjacent land that is part of the hundred year old dairy farm. The new development is beyond an eye sore, nature ripped up for \$\$\$\$. Remlinger Investors have the same idea. Please don't let the friendship between Gary Remlinger and the council member he funds,Lambert, be allowed to take any more of our beautiful land for development. Please help preserve what we are so fortunate to have. Thank you, Bonnie Morrison</p>
Claudia	Donnelly	9	<p>I would like to see more green building in the May Creek Basin area and to require KC developers to keep mature trees in the area to be developed. In addition, I would like to see KC do more in the WRIA 8 area to prevent storm water runoff from affecting private property owners.</p>

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Andy	Tidball		<p>Hello, I'm writing to encourage King County to include measures in its new comprehensive plan that increase the opportunity for residents to live smaller, particularly by making it possible to live in so-called "tiny houses". These houses are generally smaller than even minimum sized manufactured homes, and there is a small but growing movement of people who desire to live in them for a wide variety of reasons. This style of house seems ideal in serving many of King County's housing goals and problems. They are relatively inexpensive to both build and live in, placing their ownership within financial reach of lower income residents. They have been used successfully in several cities to help combat homelessness. They encourage greener living in a variety of ways, such as taking up less space, using fewer resources to build and maintain, and containing less space for excessive consumerism. They allow greater population densities than traditional single family housing, and are ideally suited to the growing segment of the population living in households with fewer people. When organized into planned neighborhoods of tiny houses that include shared spaces and common amenities, they foster strong communities. Despite all of these upsides, it is essentially impossible to legally live in a tiny house in King County. My wife and I considered making an attempt to do so and ultimately gave up. One thing that attracted us to tiny houses was the possibility of building it on a trailer small enough to be towed without a special permit, allowing us to bring our house with us when we move to remain close to employment. Many other tiny house enthusiasts also build on a trailer in order to officially make it a vehicle instead of a house, allowing them to get around various housing codes such as minimum house and room sizes. Unfortunately, in King County this approach leads to the problem of it being illegal to use a vehicle (even an RV) as a permanent residence. Even if we were to overcome those problems, finding a place to put a tiny house is also a major challenge. Long term RV parks might be a possibility, but again permanent dwelling in an RV is illegal. Additionally, they don't tend to be in urban areas with easy access to things like public transit. That problem is generally shared by other potential locations as well, such as manufactured home parks, or rented space in the yard of a single family residence, each of which also have their own additional problems. People interested in tiny houses still want to live in houses that are built to rigorous codes and standards, and in locations for which they are intended, but currently have no choice but to work around the laws and codes rather than within them, simply because no other framework exists. As this movement continues to grow and spread, it will behoove jurisdictions like King County to work with it to develop such a framework in order to capitalize on its many possible benefits. A few other places, such as Portland OR and Asheville NC, are starting to test these waters, and as a result are becoming centers of the tiny house movement. This is a movement whose philosophy, goals, and benefits align well with King County, as evidenced by the fact that the movement is relatively strong in this area even despite the difficulties. I strongly encourage the</p>
Donald	Kupillas	9	<p>Hello, Unfortunately I am unable to attend the meeting in person. I would like to propose that the council focuses on resolving the traffic congestion on Issaquah-Hobart Road. I have attended meetings with Issaquah's traffic task force, however they did not address I-H Road as it is in Unincorporated King County. The idea that was proposed was to add a 3rd lane that is interchangeable between Northbound and Southbound directions. In the mornings, the additional lane can lessen the Northbound congestion. In the afternoon / evenings the additional lane can lessen the Southbound congestion. Having the 3rd lane between Cedar Grove Road and 2nd Ave. SE in Issaquah would alleviate the majority of the traffic issues. Thanks for your consideration. Don Kupillas</p>

## Comprehensive Plan Comments received via email

Updated April 23, 2016

Fname	Lname	Issue	Comment
Terri	Divers	Fall City	Under the "Executive Recommended 2016 Plan Released" the statement "Initiates an alternative wastewater treatment study for Fall City" you should add "for the business district" It is misleading the way you have it. For the residents that have worked so hard to keep wastewater treatment out of the residential area, this statement is incomplete, incorrect and hurtful.
Teresa	Appleseith	Fall City	I for one will be analyzing the heck out of all the TDR changes. More peeps out here need to pay attention to TDRs. Also, the wording was unfortunate regarding "Initiates an alternative wastewater treatment study for Fall City". The long time residents of Fall City (many gens), along with a few of us newbs (three gens or less☺), have fought long and hard for "wastewater treatment" to be left out of residential FC. We compromised a lot to allow it in the SDO (Business district) on the last Comp plan go around. The wording should have reflected and respected these efforts.
Andy	Tidball	Tiny Houses	I'm writing to encourage King County to include measures in its new comprehensive plan that increase the opportunity for residents to live smaller, particularly by making it possible to live in so-called "tiny houses". These houses are generally smaller than even minimum sized manufactured homes, and there is a small but growing movement of people who desire to live in them for a wide variety of reasons. This style of house seems ideal in serving many of King County's housing goals and problems. They are relatively inexpensive to both build and live in, placing their ownership within financial reach of lower income residents. They have been used successfully in several cities to help combat homelessness. They encourage greener living in a variety of ways, such as taking up less space, using fewer resources to build and maintain, and containing less space for excessive consumerism. They allow greater population densities than traditional single family housing, and are ideally suited to the growing segment of the population living in households with fewer people. When organized into planned neighborhoods of tiny houses that include shared spaces and common amenities, they foster strong communities. Despite all of these upsides, it is essentially impossible to legally live in a tiny house in King County. My wife and I considered making an attempt to do so and ultimately gave up. One thing that attracted us to tiny houses was the possibility of building it on a trailer small enough to be towed without a special permit, allowing us to bring our house with us when we move to remain close to employment. Many other tiny house enthusiasts also build on a trailer in order to officially make it a vehicle instead of a house, allowing them to get around various housing codes such as minimum house and room sizes. Unfortunately, in King County this approach leads to the problem of it being illegal to use a vehicle (even an RV) as a permanent residence. Even if we were to overcome those problems, finding a place to put a tiny house is also a major challenge. Long term RV parks might be a possibility, but again permanent dwelling in an RV is illegal. Additionally, they don't tend to be in urban areas with easy access to things like public transit. That problem is generally shared by other potential locations as well, such as manufactured home parks, or rented space in the yard of a single family residence, each of which also have their own additional problems.

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Andy	Tidball	Tiny Houses	<p>People interested in tiny houses still want to live in houses that are built to rigorous codes and standards, and in locations for which they are intended, but currently have no choice but to work around the laws and codes rather than within them, simply because no other framework exists. As this movement continues to grow and spread, it will behoove jurisdictions like King County to work with it to develop such a framework in order to capitalize on its many possible benefits. A few other places, such as Portland OR and Asheville NC, are starting to test these waters, and as a result are becoming centers of the tiny house movement. This is a movement whose philosophy, goals, and benefits align well with King County, as evidenced by the fact that the movement is relatively strong in this area even despite the difficulties. I strongly encourage the county to consider tiny houses as a means of addressing many of its housing goals and problems, and to therefore include the design and creation of appropriate legal frameworks within the comprehensive future plans that are currently being developed.</p>

## Comp Plan Comments Received April 2016

King County Comp Plan - Committee Meeting

March 15, 2016

RE: Wesley Homes comments in regard to the comprehensive plan update Motion 14276.

Presenting: Christine Tremain, VP Marketing and Development, Wesley Homes

Wesley Homes is a not for profit provider of care and services for middle income older adults in south King County and soon to be in Pierce County. Our communities in Des Moines and Auburn offer a continuum of care so that those we serve can remain in place even as their care needs change. We also provide financial assistance to help those who have run out of resources stay within our family and in the place they call home.

Currently, the parcels owned by Wesley Homes under review in the Fairwood-Renton area are zoned R6 with the land use designation UM – Urban Residential, Medium. As stated in Executive Constantine's recommendation, the neighboring parcels to the north and east are zoned CB and R-24.

Executive Constantine is recommending just one parcel be reclassified to UH – Urban Residential, High and rezoned to R18, leaving the other parcels as they are. He states that density incentives provided for senior housing will give us the increased density we need and are seeking.

As I've read Title 21A of the King County Code pertaining to these incentives, they seem to be specific to low income seniors with incomes at 50 to 80 percent of the median income or small accommodations less than 600 square feet. Serving those who have incomes closer to the median income, Wesley Homes' model of providing quality communities for middle income seniors won't qualify for these density incentives.

Our model provides the continuum of care in larger accommodations at a price that is affordable for middle income seniors - such as retired school teachers, clergy, civil servants and small business owners. We rely on density, accommodations and amenities that are attractive to the market, and community partnerships to make this work. Wesley Homes owns and manages its communities over the long term and is not in the business of building to sell as many for profit providers are. We have been in Des Moines since 1944.

We are appreciative of Executive Constantine's support and recommended land use and zoning change for parcel 3423059035 to UH and R-18, respectfully. We additionally request that the committee consider including one or both of the adjoining parcels 3423059061 and 3423059031 in the land use and zoning change to UH and R18.

The difference for us is significant providing an additional 57 units for each additional parcel included in the R18 zoning, according to our calculations. If we qualified for the density incentives considered by Executive Constantine, we could realize as many as 85 more units. With the zoning change on just one parcel (3423059031), our total density would increase from 266 to 323 units and this would enable us to build enough accommodations to keep our prices affordable to many of the older adults in the county.

Wesley Homes offers a continuum of care that includes skilled nursing and rehabilitation. This requires a conditional use permit that – as we understand it – is not allowed in R6 zoning. Hence, another reason that we ask you to include the additional 1-2 parcels in the R18 zone.

There are programs to help developers build communities for low income seniors and we've seen several life care communities come into our market serving wealthy individuals. Few providers have been able to develop a continuum of care for middle income older adults, like Wesley Homes is able to do.

We have received great praise and support for our projects serving this somewhat forgotten market. Please help us bring our not-for-profit continuum to the Fairwood-Renton area, a neighborhood that our studies show, is desperately in need of quality senior housing and care services like Wesley Homes provides.

Thank you for your consideration of this request.

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2016 KCCP Update Oral Testimony before King County Council "Committee of the Whole"  
Wednesday, April 6, 6:30 - 9:00 PM, Gracie Hansen Bldg., Ravensdale, WA

My name is Peter Rimbo. I am speaking on behalf of the Greater Maple Valley Unincorporated Area Council (Area Council). I serve as Chair of our Growth Management Committee and, as such, manage and coordinate our King County Comprehensive Plan (Comprehensive Plan) Update review and comment.

Our Area Council has served greater Maple Valley for over 40 years as an important sounding board and voice for Rural Area residents. We helped local people seek incorporation of the City of Maple Valley. We have provided valuable input to you on County objectives, Code, and the Comprehensive Plan. We look forward to continuing those relationships.

We applaud the more wide open process being followed for 2016 Comprehensive Plan Update. Although we have been reviewing and submitting comments on all major 4-yr Updates for many, many years, this is the first time we have been provided the opportunity to help shape the Executive's Public Review Draft. Many of our early comments were accepted and became part of the PRD released last November. This has helped the people, who are most directly affected by the Plan, have a direct say in its preparation. We also applaud the Executive's Office and its Comprehensive Plan Manager, Ivan Miller, and Senior Policy Analyst, Karen Wolf, for holding multiple meetings with our Area Council over the past 14 months.

To conduct our in-depth review we assigned specific Chapters, Attachments, and Appendices to our four major Committees: Economic Development, Environment, Growth Management, and Transportation. Our Committees held multiple meetings prior to presenting comments to our full Area Council for deliberation and final approval. We made multiple submittals to the Executive's Office throughout 2015 culminating in a set of PRD detailed comments in early January.

In general, we are pleased with the Plan as submitted by the Executive to the Council on March 1. However, we still do have some specific comments to present to you tonight.

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

Over the past two years we have hosted several standing-room-only meetings where resident after resident has voiced deep concerns with Marijuana growing operations, processing/manufacturing facilities, or distribution businesses being sited in Rural Area residential neighborhoods. Such businesses could be quite lucrative both with valuable product on the premises and amount of cash on hand. However, as you well know, the County cannot always provide adequate Police protection to the Rural Area. This is a dangerous mix. We call for such operations to be recognized in the Comprehensive Plan as incompatible with the Rural Character the County and we strive to maintain. Further, we call for KC Code definitions 21A.06.605 Home industry and 21A.06.610 Home occupation be revised back to their pre-2008 Comprehensive Plan definitions to address the existing loophole where a residence can be converted to a business establishment without maintaining “the primary use of the site as a residence.”

Policy R-309 deals with Transfer of Development Rights receiving sites. To meet the original intent, Rural Area properties should not serve as receiving sites for any TDRs.

Policy R-326 deals with siting of facilities in the Rural Area. We applaud language here and in Chapter 9--SERVICES, FACILITIES, & UTILITIES to preclude those those facilities that primarily serve urban residents from being located in the Rural Area. However, to truly fix the problem, KC Code 21A.08.060 A. Government/business services land uses must be changed under “Specific Land Use” – “Utility Facility” by adding a new Note (#38) as a Development Condition to all Zoning Designations.

### CHAPTER 8 -- TRANSPORTATION

Policy T-102 deals with regional transportation planning. We and other Rural Area UACs and Associations held a very well attended Transportation Forum with State, Regional, and County representatives in Issaquah in September 2014. Chairwoman Lambert, I sat next to you and presented our findings on “rural regional corridors” and sustainable funding. With Rural Area growth at ~200 per year and almost all growth going to Urban Areas, major County roads are used primarily by urban residents. Consequently, we believe “County road networks,” which know no jurisdictional boundaries (similar to State roads), should be established and funded by all County taxpayers. We reviewed the January 2016 recommendations of the County Bridges and Roads Task Force, unfortunately it did not include this “network” concept. We urge the Council to explore this “County road network” concept.

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

Policy T-224 deals with TDRs being used to satisfy Concurrency. This policy should be deleted, 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.

### CHAPTER 12— IMPLEMENTATION

Policy I-203 Item b. appears to eliminate 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 or many, many members of the Public in our area. The proposed Demonstration Project never has been consistent with other policies in the Comprehensive Plan. We urge you to ensure the County follows its standard methods for transitioning mining sites when resource extraction is complete.

We will be submitting our detailed Written Comments to the Council's TrEE Committee in the coming months. Thank you again for this opportunity to articulate our comments on the 2016 KCCP Update.

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**From:** Bonnie Morrison  
**Subject:** Remlinger Investment Property

I submitted comments again and wanted to send these pics but did not know how to include them. The Remlinger Investment Property is the brown field in front of the new housing development currently building 70 houses. This is what I now see from my front yard. The other picture is another direction, same front yard. We are all part of a 100 acre dairy farm that used to exist where all new houses are. When I moved here 12 years ago, that was only farm lands, so very beautiful, now.....choked. Please help us preserve the heritage of the valley from big money and political influence, please. Thanks so much for your help Christine. Bonnie Morrison



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Testimony to King County Council TrEE Committee, March 15, 2016

My name is Robert E. Braeutigam and I reside at 2640 271st Ave SE, Issaquah which is within the Duthie Hill Notch, subject of Area Zoning Study #7 in the King County Comprehensive Plan Executive Report.

Since 2007 the Notch has been the subject of attempts by the City of Sammamish and selected property owners to change the UGA to make it eligible for annexation to the City. As you know, it was rejected by this Council in the Comprehensive Plan process in 2008 and 2012.

Nothing has materially changed since then. Admittedly deaths, ownership changes and financial need have changed the balance of those opposed or in favor of such action. However, the motivations remain the same. The City ostensibly wants to annex the area to place SE Duthie Hill Road under its jurisdiction to facilitate upgrade and repair of the road. The residents in favor of this action have a common objective – to sell their land to developers, profit and move. That leaves those who remain to bear the burden of the dense development that will follow.

As is clearly outlined in the Area Zoning Study, the Notch and the surrounding area, as they exist, fail to meet any of the criteria and policies of King County and the Comprehensive Plan that would allow revision of the UGA. Desires of the City and some property owners do not alter that fact.

The Notch is indeed rural, having been so since its inception as an undifferentiated part of an 1894 land patent. In 1951 it was segregated out into its current configuration as the original 160 acres were divided up and sold. By 1979 it had been divided into the current parcels. Zoning progressed from Forestry land to a One house per Five Acre designation, subject to certain conditions. In 1993, the first attempt was made to rezone the Notch as R7200, consistent with the zoning proposed for the Trossachs development which envelops two sides of the Notch. I say all this because the Notch was not carved out from urban land, rather urban zoning was created to envelope the Notch and facilitate.

We agree with the Executive recommendation – “Do not go forward with the proposed unmitigated change to the UGA line.” Besides procedural issues, there are many technical reasons not to do so. Chief among them are 1) The existence of an environmentally sensitive area, the Patterson Creek Category 2 wetland/pond. And 2) The safety and traffic hazards that will be created in High Country that would be created by the extension of a connector road across the Notch linking High Country and Trossachs.

We just as strongly disagree with the recommendation to “Consider a Four to One proposal through the GMPC or direct application to the program.” The City does not have property that to exchange that is contiguous to the Notch as required by current policies. To allow the City and or property owners to seek a variation via the GMPC process or any variation that is not open to public scrutiny and participation is a violation of the transparency we have come to expect from County government. The City is a

participant in the GMPC and as such has unlimited access and voice at the Council. This is vastly and unfairly disproportionate to the voice we property owners who oppose this action have.

Let me quote from the Seattle Times January 3 editorial about the UGA.

"So, there is not a shortage of space to build homes. Changes are sought because developers would prefer to build in more lucrative areas, where they're now limited by land use rules.

As long as the region has capacity in sight, elected officials should stand firm and uphold the Growth Management Act. Its principles are needed now more than ever."

That says it better than I can. Thank you.

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**From:** Pete Hayes **Subject:** Forest Focus Areas Revision

I understand you are reviewing my discussion with Kathy Lambert, Bob Burns, Ivan Miller and Karen Wolf to revise the language on the Forest Focus Areas to allow approximately 50% of an adjoining parcel to King County Parks be donated or put in a NGPE. In return the owner would be allowed to cluster the allowable density on the balance of the property. I think this would be a substantial public benefit while allowing the footprint of the rural zoning to be decreased. The majority of home buyers do not want to take care of 5 or 10 acre tracts. I have three potential properties to review how the change would be in practice. One is on top of Cougar Mountain with amazing views of Lake Sammamish, Mt. Baker, all the way to the east to Mt. Si. The second parcel is currently owned by Issaquah School District and is known as Winterbrook Farm, the third is a substantial property in rural King County that could add as much as 100 acres to a current park. The number of properties would be small but I think the additional parkland and benefits would yield great results. I look forward to discussing the possibilities.

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March 24, 2016  
Alan Kaufer  
2441 270<sup>th</sup> AV SE  
Issaquah, WA 98029  
[ringneck517@yahoo.com](mailto:ringneck517@yahoo.com)  
425-802-0947

Honorable King County Council

As I understand there is not a county policy that supports the UGA inclusion of the Duthie Hill notch. Those of us in the notch who have in the past wished for a rezone are still committed to pursuing this action.

In addition to the previous petitioners, the Kuhn residence (Parcel 1224069049) has expressed their preference for a UGA revision. This shifts an additional 1.5 acres to the total quantity requesting this change. Their location is noted on the attachment PROPERTIES REQUESTING ADJUSTMENT TO UGB\_R1.pdf below.

I am therefore asking that you add this issue to the council agenda for appropriate consideration and voting in hopes that this time we can address this example of incongruous zoning.

See accompanying documentation.

Please don't hesitate to contact me if you have any questions.

Thank you for your time,

(SIGNED)

Alan Kaufer

Paul Brenna's original docket request:

*Paul and Julie Brenna*

*2443 270<sup>th</sup> Ave SE*

*Issaquah, WA 98029*

June 22, 2015

**REFERENCE:** Docket Request for Adjustment of Urban Growth Boundary, UGB to include Duthie Hill Road Area within the UGB

**DESCRIPTION:**

The Duthie Hill Road Area is bordered on the west, north and east by the incorporated City of Sammamish. The portion of Duthie Hill Road that forms the south border of the Area is owned by King County. The incorporated areas surrounding 3 sides are zoned R4 (4 units per acre) and are developed with single family homes. Lot sizes in the adjacent incorporated area range from 18,000+/- square feet to 40,000+/- square feet on the west, and 10,000+/- square feet on the north and east. The Duthie Hill Road Area is 46.32 acres in area and includes 20 parcels. Current King County zoning is RA-5 (1 dwelling unit per 5 acres of land). Of the 20

parcels, only 4 are 5 acres or larger. The smallest parcel is 0.62 acre and 12 of the 20 parcels are less than 2 acres in area. 16 of the 20 parcels do not conform to current King County zoning lot size density requirements.

**A BRIEF HISTORY:**

We are owners of a five acre lot at the northwest corner of the Area. We purchased our property in 1976. At that time the surrounding areas were a mix of vacant forest land, small farms, and mostly weekend homes surrounding Pine and Beaver lakes. Housing “developments” including Klahanie, High Country, Trossachs, and others did not exist. The City of Sammamish did not exist. At that time the majority of the (then called) Pine Lake Plateau was in fact generally rural. Times have changed significantly since we purchased our property. The term “rural” no longer fits with the vast majority of the development on the Sammamish Plateau, including the Duthie Hill Road Area. Since our ownership the Area has been surrounded on three sides by housing developments, located within the City of Sammamish. The once original rural nature of the Area and its surroundings is long gone.

**ZONING:**

When we purchased our property in 1976 the zoning (including surrounding areas) was 1 house per acre density, and that zoning remained until around 1993. At about that time we were re-assigned RA-5 zoning (1 house per 5 acres). High Country development to our west and Trossachs to our north and east were developed with zoning of 1 per acre density.

In November of 2007 the city of Sammamish completed an annexation strategy study. And, on April 21, 2008 the Sammamish City Council adopted ordinances 2008-228 and 2008-229 that adopted Potential Annexation Area (PAA) designations and contingent land use and zoning designations for Sammamish PAAs as well as for the Duthie Hill Area. We were assigned contingent R-1 (1 house per acre) zoning and a R1-R4 land use designation. The City of Sammamish contingent zoning and land use matches the surrounding zoning and development.

The City of Sammamish *Duthie Hill Land Use Study 6-11-15* can be accessed at <http://www.sammamish.us/about/AnnexationAreas.aspx?ID=DuthieHill>

**DUTHIE HILL ROAD ACCESS AND TRAFFIC**

The logical north border of Rural classification is the Duthie Hill Road. Upon completion of Sammamish’s annexation of the Klahanie area all of the south border of Sammamish will be Duthie Hill Road/Issaquah Pine Lake Road and classified Urban, except our Duthie Hill Area. That’s about 7% of Sammamish’s south border. This boundary irregularity does not make sense.

The current south boundary of Sammamish encompassing Duthie Hill Road is approximately 1.2 miles long, except for the 1/4 mile long Area near the middle. That 1/4 mile is under King County jurisdiction. With the Sammamish annexation of the Klahanie area, the south boundary will be approximately 3.4 miles, and under the maintenance jurisdiction of Sammamish, EXCEPT for the 1/4 mile “missing tooth” at the Area. The task of coordination of road maintenance, improvements, and cost allocation between King County and Sammamish is a task with no logical reason to exist. The requested adjustment of the UGB and thus possible annexation by Sammamish would rectify this anomaly.

The following graphic shows the relationship of the Area as it relates to Sammamish’s south border:

**SCALE GRAPHIC OF CITY OF SAMMAMISH SOUTH BOUNDARY AT SE DUTHIE HILL ROAD & ISSAQUAH-FALL CITY ROAD**

3.4 MILES

EAST SAMMAMISH BOUNDRY

WEST SAMMAMISH BOUNDRY

SE DUTHIE HILL ROAD & ISSAQUAH - FALL CITY ROAD

CURRENT CITY OF SAMMAMISH	“AREA” KING COUNTY	CURRENT CITY OF SAMMAMISH	CITY OF SAMMAMISH WITH KLAHANIE ANNEXATION
0.45 MILES	0.25 MILES	0.50 MILES	2.20 MILES
13%	7%	15%	65%
3.4 MILES TOTAL ROAD LENGTH AT CITY OF SAMMAMISH SOUTH BOUNDRY WITH KLAHANIE			

The Area is currently accessed by 2 private roads that dead-end in the Duthie Hill Area. Future access to the area can be provided with existing City of Sammamish improved street rights-of-way that are stubbed at the boundary of the Area at the northwest and northeast corners from the Trossachs and High Country neighborhoods, both of which are located within the City of

Sammamish. The 6-08-90 King County Report and Recommendations regarding High Country Division 3 (adjacent to us) states in part regarding S.E. 25<sup>th</sup> Street: “.....provide adequate right-of way for the adjacent property owners to the east to construct access on that right-of-way at their own expense at such time as it is necessary for further development of those adjacent properties.” (Underline added)

Water and sewer lines exist within these rights-of-way, as well as within the right-of-way of Duthie Hill Road. The County changed the designation of Duthie Hill Road to an urban arterial, thus fully surrounding the Duthie Hill Area with urban development and infrastructure.

The Duthie Hill Road provides very difficult access during AM and PM peak traffic times from our neighborhood. There is no alternative route for us to use. Most of this traffic is generated by the surrounding development, i.e., three sides of our area. A recent, Draft Duthie Hill Area Study, presented to the City of Sammamish Planning Commission on June 18<sup>th</sup> 2015 states that the average daily trips would be reduced on Duthie Hill Road with a change from rural to urban assuming a potential future road connection between SE 25<sup>th</sup> Way and Trossachs.

**EXISTING AREA LOT SIZES:**

As can be seen in the chart below, 80% of the Area’s existing lots do not meet the current Rural 5 acre minimum lot size, with only 4 (20%) of the 20 lots actually conforming to the current 5 acre Rural zoning. Maintaining a Rural zoning classification in which 80% of the lots are non-conforming is, in reality, classifying an area something it is not. The existing Area does not meet Rural criteria simply given the lot sizes not meeting the current Rural 5 acre zoning, and thus should not be continued to be designated something it isn’t.

The chart below summarizes the existing non-conforming vs. conforming lots within the Area:

**CURRENT LOT SIZE DISTRIBUTION WITHIN THE AREA:**

<b>LOT SIZE</b>	<b>QUANTITY</b>	<b>ACRES</b>
<b>Lots less than current minimum 5 acre lot size:</b>		
Less than 1 acre	3	2.38
1 acre to less than 2 acres	10	12.95
2 acres to less than 3 acres	1	2.72
3 acres to less than 4 acres	2	6.70
4 acres to less than 5 acres	0	0.00
<b>SUB TOTAL non-conforming lots:</b>	<b>16</b>	<b>24.75</b>
<b>PERCENTAGE non-conforming:</b>	<b>80%</b>	
<b>Lots that meet current minimum 5 acre lot size:</b>		
5 acres to less than 6 acres	3	15.28
6 acres and larger	1	6.29
<b>SUB TOTAL conforming lots</b>	<b>4</b>	<b>21.57</b>
<b>PERCENTAGE conforming lots:</b>	<b>20%</b>	
<b>TOTAL</b>	<b>20</b>	<b>46.32</b>

**SUPPORT FOR ADJUSTING THE URBAN GROWTH BOUNDRY:**

Owners within the Area have recently been polled regarding adjustment of the UGB. The results of that poll can be seen in the chart below. As can be seen, 13 of the 20 parcels are in favor with 7 either against or having no opinion. (65% parcels in favor) Those in favor represent 78% of the acreage in the Area. It is noteworthy that all of those owners against UGB Adjustment have lots smaller than the current Rural 5 acre minimum zoning they wish to keep. A signed petition documenting this poll is attached.

<b>Duthie Hill Area Owner's Poll</b>
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	<b>Owner</b>	<b>Acres</b>	<b>Parcel No.</b>
<b>Yes to adjust UGB from Rural to Urban:</b>			
1	Lindsay/Raefield	6.29	1224069075
2	Patterson	0.62	1224069076
3	Sanderson	3.70	1224069036
4	Patterson	1.00	1224069050
5	Kauffer	5.14	1224069052
6	Milton	5.14	1224069037
7	Brenna	5.00	1224069053
8	Lindsay/Raefield	1.08	1224069002
9	Johnson	3.00	1224069047
10	Mihaiuc	1.50	1224069048
11	Hernandez	1.66	1224069046
12	Milton	1.00	1224069057
13	Hui	1.19	1224069051

**Total acres "Yes": 36.32**

**No or unknown to adjust UGB Rural to Urban:**

1	Lewis	1.50	1224069038
2	Brantley	1.00	1224069034
3	Wiersum	2.72	1224069054
4	Kuhn	1.50	1224069049
5	Braeutigam	1.52	1224069054
6	Strouse	0.94	1224069033
7	Learnard	0.82	1224069044

**Total acres "No": 10.00**

**Total Area acres: 46.32**

**SUMMARY:**

My neighbors and I, who have signed the attached petition, request that King County adjust the Urban Growth Boundary to include the Duthie Hill Area as part of the UGB for the following reasons:

The current Rural zoning doesn't match the urbanization that surrounds us.

- Having only a small portion of the Duthie Hill road under county control doesn't makes sense
  - Urban zoning would reduce traffic on Duthie Hill Road by allowing a natural connection between High County and Trossachs
  - We are surrounded by three sides of urban development
  - No farming, ranching, or other rural type uses currently exist within the Duthie Hill Road Area
  - We are surrounded by three sides of a city, i.e., Sammamish
  - We have contingent zoning and land use by Sammamish that matches the surrounding development and is consistent with our original 1 house per acre County zoning before the down-zone to RA-5 (1 house per 5 acres)
  - We, the majority of the residents in the area, petition King County to include us in the UGB
- Your review and consideration of this Docket Request to include the Duthie Hill Road Area within the UGB will be very much appreciated.

Please contact us at the numbers below if you have any questions, or require additional information.

Thank you.  
Sincerely yours,

**Paul L Brenna**

**Julie D Brenna**

Paul L. Brenna

Julie D. Brenna

Ascension Properties Llc  
Cougar Summit Llc  
East Cougar Mountain Properties

Ivan Miller, AICP  
Comprehensive Planning Manager  
Performance, Strategy and Budget  
Chinook Building  
401 5th Ave Ste 810  
Seattle, WA 98104

Karen Wolf, AICP  
Senior Policy Analyst  
Performance, Strategy and Budget  
Chinook Building  
401 5th Ave Ste 810  
Seattle, WA 98104

RE: East Cougar Mountain PAA Meeting

Mr. Ivan Miller & Ms. Karen Wolf,

I was in attendance at the meeting on January 27th at Issaquah City Hall representing Ascension Properties Llc, parcel No. 302406-9027 and Cougar Summit Llc, Parcel No. 302406-9028. The two parcels are located at approximately 18601 – 18899 SE 65th PL, Issaquah, WA. 98027. The parcels together are approximately 27.72 acres. The adjacent parcels occupied by single family residences average 1.78 acres with private water and on-site septic. Both parcels are currently within the Urban Growth Boundary and designated R-1 and within the Cougar Mountain Subarea Master Plan Development Area NC-P01. The current zoning designation of R-1 does not have a SO attachment to the current zoning designation suggesting no Overlay District is applied. In accordance with the old NC-P01 overlay the owners are allowed to apply for reclassification in the event the subject property is not within a master plan for village development. The classification described in NC-P01, effective August 18th, 1997 as amended by 14044 and Ordinance No. 15028 as of 10/11/2004 allows a reclassification zoning of

GR-2.5. Resolution No. 25789 amends GR 2.5 to UR or RA, allowing RA-2.5(only in designated urban areas and/or in areas not designated urban and in the rural forest focus area.) and RA-5.

The proposed change from urban to rural would change R-1 to RA, no description was provided at the meeting as to if the subject property would be zoned RA-2.5 or RA-5. Under the RA – 2.5 designation full density would only be allowed in the event the property was located within a rural forest focus area and with a transfer of density credit pursuant to KCC chapter 21A.37.

The subject property is contiguous on the south and west to the Cougar Mountain Wildland Regional Park which should have as much or more value than the areas currently designated rural forest focus area.

Preliminary discussions with Bob Burns, Deputy Director Department of Natural Resources for King County that the subject parcels are available for purchase by King County to add to the Cougar Mountain Wildland Regional Park. The property would add significant value to the parkland. The properties owners remain open to work with King County on a portion of the property contiguous to the park.

Under the current zoning and overlays the properties would be allowed to short plat the 19.99 acre parcel to four lots, but due to the urban designation not allowed to install private wells. The current zoning effectively prevented the property from being subdivided with private wells because of the urban designation and the fact that both Issaquah and Bellevue denied public water service unless the property was annexed. In the event the property zoning designation is changed to rural the property would then have the option to short plat with private wells serving the individual lots and no open space would be created. During the meeting at the City of Issaquah a water system manager expressed his concern that the area has been excluded from the Cascade Water Alliance service area. Many of the wells in the Cougar Mountain area and others that depend primarily on wells have been going dry with the extended hot weather in late summer and early fall. If King County can work with The Cascade Water Alliance to amend the service area and to work with the City of Bellevue to extend a water main, currently approximately 2,000 feet to the west of the area now on wells that would be a great help to ensure the water will not go dry and offer much greater safety in the event of a fire.

The property is located on a private drive currently serving seven home-sites averaging 1.78 acres. An additional nine lots would maximize the rule provided for private drive allowable density. In the event the property is converted to a rural designation the owners request that 21A.06.196, Clustering would be allowed due to the proximity to the park. Under the RA-2.5 and in the event the property when clustered would create a natural open space for the preservation of critical areas, parks and permanent open space

Ascension Properties Llc  
Cougar Summit Llc  
East Cougar Mountain Properties

with no reserve for future development. If this language could be added to the RA-2.5 zoning designation it has the potential to greatly increase parkland at little to no cost to King County while preserving those

properties in accordance with 21A.06.196. In addition, the property owners have discussed that in the event this would be acceptable that they would consider deeding that open space portion to King County created by the added provision of 21A.06.196. Also considered by the owners would be to gift to King County any units (TDR's) allowable under the clustering provision over nine lots to be approved by short subdivision.

The property owners are open to discuss all options. The most important request is to be granted public water to provide a safer and more reliable water supply for the area.

Please feel free to contact me to discuss and keep me updated on the progress prior to presentation to King County Council.

Sincerely,

Ed Meyer  
Manager



**ADDRESS** 812 102nd Ave NE  
Bellevue WA 98004

**PHONE** 425-454-9923 x 102

Cc: Peter C Hayes Broker  
Coldwell Banker Bain  
150 Bellevue Way SE  
Bellevue, WA. 98004  
206-790-5263

# Testimony to KCC Committee of the Whole, April 6, 2016, Rev 1

My name is Robert E. Braeutigam and I reside at 2640 271<sup>st</sup> Ave SE, Issaquah, within the Duthie Hill Notch, subject of Area Zoning Study #7 in the King County Comprehensive Plan Executive Report.

My neighbors and I agree strongly with the Executive recommendation – “Do not go forward with the proposed unmitigated change to the UGA line.”

**The many good reasons** to support this position are clearly delineated in the zoning study. Chief among them are that the City of Sammamish has a surplus capacity of 2087 units over the forecast housing need in 2031. They don't need the land for housing.

We just as adamantly oppose the recommendation “Consider other options developed through the GMPC process or through direct application to the program by property owners.” Although such avenues might meet the strict letter of the law they would not provide the transparency we expect of the County. By virtue of its membership on the GMPC the City of Sammamish has disproportionate representation and participation as compared to that of private property owners limited to 3 minute public comment. Similarly, application by private parties would not afford equal notification to and participation by all of us who would be affected.

What would be the result of a successful rule change or application? **Development**, the stated goal of those in favor of a UGA change. **Who would benefit?** Those **property owners who** would develop or sell their land. **The City of Sammamish**, which would reap millions of dollars in permitting fees for the new homes. **Who would suffer a loss?** Those of us who merely want to maintain our homes in the rural setting that was the reason we bought them in the first place. Our taxes would increase, the environmental quality would degrade, traffic would be injected into our neighborhood, and the wildlife that visits us would disappear.

**The Notch was zoned G-5(Potential SE) in 1979**, preceding the UGA and the City). That allowed for further development only under the very restrictive requirements of a Master Plan/Planned Urban Development. Those eventualities no longer exist. Only 3 of the families in support of a UGA change were owners of parcels at that time. The rest bought their properties knowing the zoning, which was equivalent to the current AR-5 classification.

**The Notch meets 5 of the 7 reasons in Policy 202** for land to be rural, any one of which is sufficient. One of 20 such notches throughout the County we don't consist entirely of rolling farm land, barns and livestock. However, we have elements of each and are a buffer to lands that exactly meet that description. At our existing density of 1 home per acre, we can be likened to the clusters of homes that abound in rural areas.

We know the Comprehensive Plan process is a long one, and is not over until the last amendment is acted upon and the plan is approved by the council. Accordingly, we intend to stay informed and engaged. We hope that you understand our desire to retain the homes and environment that we have.

Quoting the Seattle Times January 3 editorial:

“As long as the region has capacity in sight, elected officials should stand firm and uphold the Growth Management Act. Its principles are needed now more than ever.”

That says it well. Thank you.

DENNIS CARLSON  
4/6/16 COW

Feb 2016

### ENUMCLAW PLATEAU MARIJUANA PRODUCERS/PROCESSORS

All information discovered via WSLCB, King County and search websites. For Washington State marijuana sales figures, see <http://liq.wa.gov/marj-dashboard>.

#### GREEN420

22930 SE 384<sup>th</sup> Street Suite A 10.23 acres UBI: 60334677500010001  
206-321-1531

KC Parcel # 3421069135 MJ License # 412294 ~~ACTIVE (ISSUED)~~  
Tier 2 DATE CREATED 12/15/2015

The assessor's report indicates this parcel sold 9/2014 to "Zoomtek Com Inc," and lists a double wide and shop/barn. Also lists waterfront "proximity influences" and "Stream, 60 percent affected."

The phone number listed for this marijuana license leads to a business called "Compustopusacom," run from a private residence at 13053 SE 160<sup>th</sup> Place, Renton (owner: Elena Petrosova, computers/peripherals/software, 1 employee, annual revenue \$120K.) Sales for this grow: 12/1/2015-12/31/2015 - \$12,156; 1/1-31/2016 - \$7,275.

Green420 also has a processor's license, same number and date created as the producer license.

#### MAS FARMS

19003 SE 416<sup>th</sup> Street Suite A 9.73 acres UBI: 6033727230010001  
253-235-2521

KC Parcel #1820069019 MJ License #414232 ~~PENDING (ISSUED)~~  
Tier 2 DATE CREATED 10/29/15

Sold to Deborah Knapp 5/2014; 2 barns, one dating from 2013. "Pending" is likely a data entry error. Sales: 2015 - \$140,693.08; 1/2016 - \$35,586. MAS Farms also has a processor license, same number and date created as producer license.

~~PURE GREEN CROSS~~  
21418 SE 436<sup>th</sup> Street  
760-668-2431

UBI: 6033424490010001

MJ License # 412855 Tier 2	ACTIVE (ISSUED)	DATE CREATED 11/17/2015
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The county's eRealProperty site "cannot find a parcel attached to this address." The iMap program can find it but points to 21416 SE 436<sup>th</sup> (Parcel number 2120069010). From there the assessor's report comes up with 21446 SE 436<sup>th</sup> Street. Email sent to mapping section of county permits department requesting clarification.

The assessor's report for 21446 indicates: 14.4 acres; white warehouse 12,216 sq. ft.; double wide; prefab steel building 960 sq. ft.; warehouse uses are "animal breeding and growing operations ; current use "none." Property owners listed as Gerald and Phyllis Noordman. Sale history shows a 2003 sale for \$0 to WA State DOT Real Estate Services/Parcel 1-17680. Security video warning sign is posted on warehouse. Mr. Noordman passed away in 2012, and Mrs. Noordman is battling cancer. The address for their son, Rick, is 21416 SE 436<sup>th</sup> St.

Area code 760 is southern California. Pure Green Cross also has a processor license, same number and date created as producer license. Sales: 2015 - \$8534; 1/2016 - \$16,006.

~~VIRIDIS REMEDIUM~~  
21418 SE 436<sup>th</sup> Street Suite A  
206-619-3388

UBI: 6033562630010001

MJ License # 415853 Tier 2	ACTIVE (ISSUED)	DATE CREATED 1/12/16
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This is the same address for the previous grow listed, Pure Green Cross; but the producer license number and date created are different. *Two different producer licenses for the same address issued ~2 months apart?* Viridis also has a processor license, same number and date created as this producer license.

The phone number for Viridis Remedium (Latin for "green medicine") is associated with two businesses run out of a private residence at 8415 9<sup>th</sup> Avenue SW in White Center: Amaeurasia Trading Company (Principal Adam Abel, non-durable goods, 2 employees, annual revenue \$170K) and Viridis Remedium (Principal Kara Abel, business services, 2 employees, annual revenue \$91K)

BAHR FARMS AND NURSERY

2215 284<sup>th</sup> Avenue SE Suite A

5.05 acres

UBI: 6033504680010001

KC PARCEL # 1820079020

MJ LICENSE # 416926

~~PENDING (NOT ISSUED)~~

DATE CREATED 1/3/2014

The eRealProperty program "can't find a parcel matching this address" either; but the iMap program can. Assessor's report indicates barn/shop 26'x30' and detached garage 26'x22'. Also Wetland "20 percent affected."

R & R LOGISTICS

20206 SE 436<sup>th</sup> Street Suite C

UBI: 6026015680010001 and 10002

Enumclaw

986 E Hampton Rd Suite B

10003

Lind, WA

KC PARCEL # 2020069010

MJ LICENSE # 417171, 417172 and 417173

DATE CREATED ALL 1/1/2014

ALL TIER 3

~~ALL PENDING (NOT ISSUED)~~

The eRealProperty program "can't find a parcel attached to this address." The iMap points to that address which brings up the Assessor's report for 19916 SE 436<sup>th</sup> Street, the Ritter Dairy LLC, property name Olson's Meats and Smoke House. MJ application 417172 is for a property in Lind, WA, S/SE of Ritzville. Applications 417171 and 417173 are associated with the dairy address: 73.91 acres, two farm utility buildings, 14,000 sq. ft. and 2,200 sq. ft.

WILBER INDUSTRIES

43112 248<sup>th</sup> Avenue SE

10 acres

UBI: 6033541670010001

KC PARCEL # 1420069025

MJ LICENSE # 413175

~~PENDING (NOT ISSUED)~~

Tier 2

DATE CREATED 12/13/2013

Owner Tony L. Krueger. Riding arena 80'x80', hay storage 16'x24', barn 40'x50', sheds.

SNS CAPITAL

42811 208<sup>TH</sup> Avenue SE Suite A 4.85 acres

UBI: 6025513790010001

KC PARCEL # 1720069038

MJ LICENSE # 416789  
Tier 1

PENDING (NOT ISSUED)  
DATE CREATED 1/3/2014

Owner Shirley Grindel.



4/6/16  
COW

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## King Conservation District

1107 SW Grady Way Suite 130 • Renton, WA 98057 • Phone (425) 282-1900 • Fax (425) 282-1898 • www.kingcd.org

Testimony on the proposed 2016 King County Comprehensive Plan,  
Joshua Monaghan, Food and Farm Program Director

4/6/16

King County has long valued farmland. In 1979 voters called for farmland preservation. With the 1994 Comprehensive Plan, KC established strong policy and zoning language, including establishing Ag Production Districts.

Would like to thank the Council and the Executive for this strong leadership.

In today's staff briefing analysis on the 2016 proposed Comp plan updates, it reads this plan proposes:

"Increased attention on support for and access to local, healthy, and affordable food options."

This reinforces the County's current Local Food Initiative. This sets out specific goals of bringing 4000 acres back into Food Production in KC over the next 10 years.

A Key barrier to returning farmland to Food Production is the decline in maintenance of our agricultural lands drainage infrastructure.

Proposed comprehensive plan policy R668A recognizes this:

"King County will continue to support drainage improvements through its Agricultural Drainage Assistance Program and actively seek new ways to make drainage projects less expensive and easier to implement and to improve drainage systems across property lines."

KCD supports these updates, along with the increased funding needed to achieve these regional goals.

What is the scale of NEED?

Over the last year, we completed a county wide, agricultural drainage NEEDS assessment survey and also conducted numerous farmer interviews. This work was supported by the Flood Control District.

The waiting list that resulted from our survey includes over 3200 acres of Acres of farmland in NEED of Ag Drainage Maintenance work. Our current projection is that the full need could be as much as 4 TIMES that much.

To reach the Local Food Initiative Goals of 4000 more acres, we will need to step up investments in Ag Drainage. We have some ideas about possible funding strategies.

Eric Nelson, who works with the KCD will be looking to connect with you individually to brief you on the specifics of this Needs Assessment findings and to discuss possible funding alternatives.

April 6, 2016

Review of Comprehensive Plan

King County Council

Thank you for coming to SE King County and Maple Valley/Ravensdale, tonight. The Comprehensive Plan is very important and very large, and I certainly haven't absorbed the document in its entirety. The opening page states, "King County has some of the most beautiful scenery in the country...including productive farmlands and a vibrant economy." It further states that this "Plan establishes a vision that preserves this incredible diversity." I live in one of those beautiful places of scenery and I certainly wish to maintain the diversity and quality of environment.

I appreciate that this document represents a huge effort, and I commend all those who have worked so hard and contributed to this. Over the years, I've given input from time to time, although this year I'm a bit slow to read the vast bank of details, but I am grateful to have an opportunity to comment.

1. HR3384 has now been introduced in the Congressional House to reinstate funding to the "Quiet Communities Act" of 1978. Funding was eliminated for this program in 1982, but with a growing preponderance of evidence relating to Noise and the health and environmental damage caused by Noise, a bill has been introduced to again fund this program. Our Comprehensive Plan, Chapter 5, contains about 100 pages relating to the environment and the preservation of same, but there is unfortunately no mention of Noise as a contributing factor to damage to the environment in this section--nor did I find it in any other section that I reviewed.

Most of you know, my concerns regarding Noise for several decades have been specific to Pacific Raceways, and that concern remains. However, that is certainly not the only source of Noise pollution that should be recognized and addressed by the county and certainly should be reflected within the Comprehensive Plan. Aircraft, construction, highway/freeway, lawn mowers, loud speakers, vehicles and many more sources of Noise pose health risks to residents and disruption and harm to eco-systems and the entire environment that is so eloquently referenced in this very document, Chapter 5.

So much of the very stress of our everyday lives can be attributed to noise. Animals and habitats are disturbed by Noise. To disregard this component in a comprehensive environmental blueprint such as this document, only exemplifies our deliberate unwillingness to discuss and attempt to mitigate the impacts of noise; and such an omission cannot deny the existence and the adverse impacts of noise. Chapter 5 devotes many pages to endangered species, including the Chinook salmon which I have in Soos Creek. When I was younger, I would fish with my father in Soos Creek and along other streams, and I well recall his firm instructions to "be quiet"! The fish could hear us!

I would call to your attention, page after page in Chapter 5 devoted to "Environmental quality and important ecological functions...which shall be protected..." E105, pg. 7.

“King County should take precautionary action informed by the best available science where there is a significant risk of damage to the environment.” E417, pg. 42. I would call to your attention page 88, which references Seismic Hazards and Volcanic Hazard areas. Without question, Noise hazards are just as well documented and provide an ongoing threat to residents. Chapter 5, pg. 90, near the conclusion, Monitoring and Adaptive Management, second paragraph: “Efforts to protect the environment will also need to reflect improvements in knowledge about the natural environment and how human activity impacts ecological systems, and uncertainties about ecological and biological processes.”

Noise considerations should be entwined throughout Chapters 3, 5, 10, and the chapter on human services. The county has recently revised the codes on noise, and the last I observed, complaints/concerns will no longer be the responsibility of the Health department, but the Sheriff’s office, which of course, won’t be compelled to respond. It appears therefore, from my perspective that the codes have softened and become vague in places, so it is even more important Noise be addressed in the Comprehensive Plan. Please acknowledge this issue and begin the dialog to bring the subject of Noise to a level of importance and a cohesive component of the Plan.

2. My second concern regarding the Comprehensive Plan would be the lack of explanation and definition of Demonstration projects. I located only one use of this term in Chapter 3, pg 63, which only mentions a Demonstration project in reference to soil management and a floodplain. However, Demonstration projects are used by the county and seem to be exceptions to at least some existing permitting, and as such should be explained in this document. Chapter 3 regards Rural Areas and Natural Resource Lands, and it is vital to explain the basis to sanction a Demonstration project in a sensitive and/or rural area. This could also apply to Chapter 10 and Economic Development.

If the county is willing to allow entities such as Pacific Raceways to operate in environmentally sensitive areas--rural areas--under the title of a Demonstration project, then that category and process needs to be included in the Comprehensive Plan. This particular project was seemingly embraced by the council because of economic potential, which therefore took precedence over environmental and community concerns. First in 2012, and again on November 23, 2015, Pacific Raceways under Ordinance 2015-0437 passed by the majority of the council, is in fact, a “done deal” under the wing of you--the King County Council.

Admittedly, with this action, the neighbors have little or no recourse. But the issue of the use of the Demonstration project as a tool to site particular private businesses in rural and sensitive areas needs to be addressed. If it fits Chapter 10, under Economic Development, the intent should be included. I would suggest that Demonstration projects also need to be explained in Chapter 3 Rural Areas and Natural Resource Lands.

Thank you.

Sandy Gaither, %18835 SE 214<sup>th</sup>, Renton, WA 98058 and 15032 SE Auburn-Black



# Effects

## Human health

Main article: [Noise health effects](#)

[Noise health effects](#) are both [health](#) and [behavioral](#) in nature.<sup>[citation needed]</sup> The unwanted sound is called noise. This unwanted sound can damage physiological and psychological health. Noise pollution can cause annoyance and aggression, [hypertension](#), high stress levels, [tinnitus](#), hearing loss, sleep disturbances, and other harmful effects.<sup>[3][4][5][6]</sup> Furthermore, stress and hypertension are the leading causes to health problems, whereas tinnitus can lead to forgetfulness, severe depression and at times panic attacks.<sup>[4][7]</sup>

Chronic exposure to noise may cause [noise-induced hearing loss](#). Older males exposed to significant [occupational noise](#) demonstrate [significantly](#) reduced hearing sensitivity than their non-exposed peers, though differences in hearing sensitivity decrease with time and the two groups are indistinguishable by age 79.<sup>[8]</sup> A comparison of [Maaban tribesmen](#), who were insignificantly exposed to transportation or industrial noise, to a typical U.S. population showed that chronic exposure to moderately high levels of environmental noise contributes to hearing loss.<sup>[3]</sup>

noise pollution: Definition from Answers.com

Page 5 of 9

High noise levels can contribute to [cardiovascular](#) effects and exposure to moderately high levels during a single eight hour period causes a statistical rise in [blood pressure](#) of five to ten points and an increase in [stress](#)<sup>[3]</sup> and [vasoconstriction](#) leading to the [increased blood pressure](#) noted above as well as to increased incidence of [coronary artery disease](#).

Noise pollution is also a cause of annoyance. A 2005 study by Spanish researchers found that in urban areas households are willing to pay approximately four [Euros](#) per decibel per year for noise reduction.<sup>[9]</sup>

## Environment

Noise can have a detrimental effect on animals by causing stress, increasing risk of death by changing the delicate balance in predator/prey detection and avoidance, and by interfering with their use of sounds in communication especially in relation to reproduction and in navigation. Acoustic overexposure can lead to temporary or permanent loss of hearing.<sup>[10]</sup>

An impact of noise on animal life is the [reduction of usable habitat](#) that noisy areas may cause, which in the case of endangered species may be part of the path to [extinction](#). Noise pollution has caused the death of certain species of whales that [beached](#) themselves after being exposed to the loud sound of military [sonar](#).<sup>[11]</sup>

Noise also makes species communicate louder, which is called [Lombard vocal response](#).<sup>[12]</sup> Scientists and researchers have conducted experiments that show whales' song length is longer when submarine-detectors are on.<sup>[13]</sup> If creatures do not "speak" loud enough, their voice will be [masked](#) by [anthropogenic](#) sounds. These unheard voices might be warnings, finding of prey, or preparations of net-bubbling. When one species begins speaking louder, it will [mask](#) other species' voice, causing the whole ecosystem to eventually speak louder.

[European Robins](#) living in urban environments are more likely to sing at night in places with high levels of noise pollution during the day, suggesting that they sing at night because it is quieter, and their message can propagate through the environment more clearly.<sup>[14]</sup> The same study showed that daytime noise was a stronger predictor of nocturnal singing than night-time [Light pollution](#), to which the phenomenon is often attributed.

## noise pollution

noise pollution, human-created noise harmful to health or welfare. Transportation vehicles are the worst offenders, with aircraft, railroad stock, trucks, buses, automobiles, and motorcycles all producing excessive noise. Construction equipment, e.g., jackhammers and bulldozers, also produce substantial noise pollution.

Noise intensity is measured in decibel units. The decibel scale is logarithmic; each 10-decibel increase represents a tenfold increase in noise intensity. Human perception of loudness also conforms to a logarithmic scale; a 10-decibel increase is perceived as roughly a doubling of loudness. Thus, 30 decibels is 10 times more intense than 20 decibels and sounds twice as loud; 40 decibels is 100 times more intense than 20 and sounds 4 times as loud; 80 decibels is 1 million times more intense than 20 and sounds 64 times as loud. Distance diminishes the effective decibel level reaching the ear. Thus, moderate auto traffic at a distance of 100 ft (30 m) rates about 50 decibels. To a driver with a car window open or a pedestrian on the sidewalk, the same traffic rates about 70 decibels; that is, it sounds 4 times louder. At a distance of 2,000 ft (600 m), the noise of a jet takeoff reaches about 110 decibels—approximately the same as an automobile horn only 3 ft (1 m) away.

Subjected to 45 decibels of noise, the average person cannot sleep. At 120 decibels the ear registers pain, but hearing damage begins at a much lower level, about 85 decibels. The duration of the exposure is also important. There is evidence that among young Americans hearing sensitivity is decreasing year by year because of exposure to noise, including excessively amplified music. Apart from hearing loss, such noise can cause lack of sleep, irritability, heartburn, indigestion, ulcers, high blood pressure, and possibly heart disease. One burst of noise, as from a passing truck, is known to alter endocrine, neurological, and cardiovascular functions in many individuals; prolonged or frequent exposure to such noise tends to make the physiological disturbances chronic. In addition, noise-induced stress creates severe tension in daily living and contributes to mental illness.

Noise is recognized as a controllable pollutant that can yield to abatement technology. In the United States the Noise Control Act of 1972 empowered the Environmental Protection Agency to determine the limits of noise required to protect public health and welfare; to set noise emission standards for major sources of noise in the environment, including transportation equipment and facilities, construction equipment, and electrical machinery; and to recommend regulations for controlling aircraft noise and sonic booms. Also in the 1970s, the Occupational Safety and Health Administration began to try to reduce workplace noise. Funding for these efforts and similar local efforts was severely cut in the early 1980s, and enforcement became negligible.

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**Noise pollution** (or environmental noise) is displeasing human, animal or machine-created sound that disrupts the activity or balance of human or animal life. The word noise comes from the Latin word nauseas, meaning seasickness.

The source of most outdoor noise worldwide is mainly construction and transportation systems, including motor vehicle noise, aircraft noise and rail noise.<sup>[1][2]</sup> Poor urban planning may give rise to noise pollution, since side-by-side industrial and residential buildings can result in noise pollution in the residential area.

Indoor and outdoor noise pollution sources include car alarms, emergency service sirens, mechanical equipment, fireworks, compressed air horns, groundskeeping equipment, barking dogs, appliances, lighting hum, audio entertainment systems, electric megaphones, and loud people.



208th Ave

(NORTH)

212th

424th

424th

OGG 42515 (1)	FREEBURG (19)	2 (20)	TURNER (21)
BERGER 42607 (2)	ENGHARD FARM 253-255-5422		
QUAM 42705 (3)	42615-212th AVE SE JOHNSON FARM		
OSSELLO 42727 (4)	(17) JAKE DEVANEY 206-550-2787		
COMMIS-0017 BARNETT/GRIMELE 42811 (5)	(16) ROGERS 42808		
STEWART 42911 (6)	(15) DAVIS 42822		
HANSON 42923 (7)	(14) STURMKEH 42906		
DEGROOT 43119 (8)	(13) NORDMAN 42924		
	(12) KELLY 43018		
	(11) REID 43026		
	(10) KUOZ 43112		
	(9) GROVEN 43122		
	DAIRY FARM (2)		

DeGroot DAIRY FARM

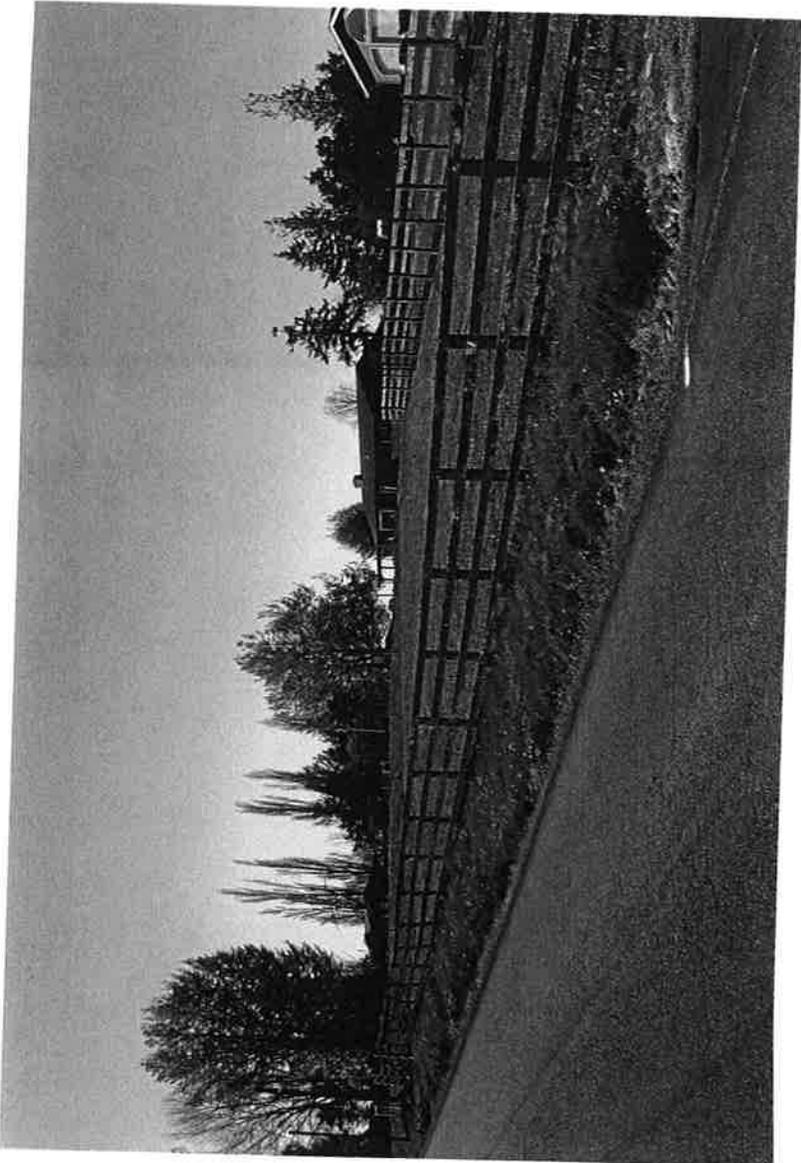
212th AVE SE

208th Ave SE

SR164

SR164

(South)



4/6/16  
COW

4/6/16  
Council of the Whole  
Chairperson: Kathy Lambert

RE: Public Hearing on KCCP

Dear Council

Our names are Marney and Scott Valdez and we live at 20041 269th AVE SE in Maple Valley. Our property is zoned RA5. As rural area residents, we do not have the same protections or services as a municipality and we are reliant on King County, through use of its zoning laws, to look out for our public health, safety, and welfare.

When I-502 passed, it is well-known that the WSLCB burdened the counties with implementation of the new law - a law that unfortunately did NOT go through the legislative process - and has forced each county to figure it out using their zoning regulations and their land use codes. This has resulted in chaos and confusion across counties everywhere and we find it unfair that the State put King County in this position. However, marijuana is now here and King County needs to take action to properly govern an industry that requires careful regulations and policies to mitigate the negative impacts to homes, families, properties, and our environment.

King County states that marijuana is not a home industry or a home occupation, which are both regulated uses under the zoning law with rules in place to mitigate traffic, employees, noise, impacts to the environment, impacts to the health and safety of residents, and impacts to the rural character of the zone. Yet a marijuana production or processing business includes traffic, employees, noise, odor, impacts to the environment, impacts to the health and safety of residents, and impacts to the rural character of the zone.

King County states that marijuana is not agriculture, yet permits it as a "resource land use" in RA5 under agriculture. However King County also states that land isn't required by allowing it in Industrial, CB and RB zones. The same 30,000 square foot industrial marijuana greenhouse, with requirements for lights, chemicals, noise, employees, activity, and waste, is allowed to exist in two VERY distinctly dissimilar zones. Industrial or business zones are far more equipped with proper services and infrastructure to manage the impacts of this industrial activity, whereas the rural zone significantly is not.

Rural zones do not mean "uninhabited cow pastures somewhere out past city limits". Rural zones have communities, neighborhoods, and families, just like cities. King County is the governing entity for those communities, neighborhoods, and families and it is time that the Council ensured that the current County Code is updated to include regulations for marijuana

that protect rural residents. The negative impacts of marijuana industry are now known, not speculated to happen, or probable to happen, but known. Impacts such as lowered property value, increased crime, increased traffic, increased noise, increased chemical use, increased risks to our public health and safety, increased risks to our water systems, increased risks to our environment, to name a few. Multiple counties in the state continue to report these same sets of negative impacts to the rural resident, not because they're guessing that it might happen, but because their rural residents have lived it and seen it. The King County Council has the opportunity right now, to preempt what's coming and put responsible marijuana rules and ordinances in place that remove the burden being placed on residential neighborhoods.

Hopefully you can see, as other counties have, that marijuana production and processing is a commercial activity that is completely out of character with the rural zone and should be removed as an allowable use. Thirty-thousand square foot greenhouses with security fences, cameras, lights, parking lots, and outbuildings do not align with the County's purpose of the RA zone. However, if you are going to continue to allow industrial operations in residential neighborhoods in the rural zone, then at a minimum you MUST include mitigation requirements such as:

- Public access
- Environmental protections for rural wells
- Environmental protections for waterways and wildlife
- Limitations on traffic
- Limitations on light pollution
- Limitations on noise pollution
- Elimination of the permeating odor
- License holder must be the landowner and must be in permanent residence on the property
- Compensation program for reduction of property value

As it stands now, the marijuana industry is causing considerable confusion, upheaval, and chaos throughout Rural King County; whatever positive impact it is having on the financial status of the state or county is completely insulated from the distress it is causing the rural residents. There is a way, however, that the marijuana industry and our rural communities can co-exist and thrive, and that is with responsible, immediate zoning rules.

Thank you for your serious consideration of an acute issue affecting your rural residents.

Respectfully,

Marney and Scott Valdez



4/6/16  
COW

## **Why the Proposed Marijuana Production and Processing Facility Proposed in Rural King County Near Hobart, Washington Should Not Be Permitted**

1. The King County zoning for this rural area is based on not allowing smaller than 5 acre minimum parcels for the express purpose of maintaining and protecting this unique rural area located at the foot of the Cascade Mountain range from high density housing and industrial buildings and operations, and to protect the natural habitat of wildlife, such as eagles, elk, fish, including salmon bearing streams, and a wealth of other wild life that inhabit the area. This project would adversely impact the people living in the area and disrupt migrating routes of animals that inhabit the area.

The proposed Marijuana Production and Processing Project does not fit the intent of this zoning.

2. The proposed project would severely and irreversibly impact the wildlife in the area, as well the rural nature of the area (which is the intent of the 5-Acre minimum requirement) that my family and other families in this area, value.
3. The car and truck traffic and associated noise of the facility work force and transport trucks coming and going and the dust created is not in keeping with the tenants of the 5-acre minimum requirement to protect the rural nature of the area and neighborhood.
4. If this grow and processing facility is allowed to be permitted, you will no longer see the wildlife in the vicinity of the proposed project.
5. In addition, there are vistas that will be impacted by an industrial facility—destroying the rural and natural beauty of the area for which the 5 acre minimum lot size regulation was enacted.
6. The foul odors and air pollution given off by the facility, and the traffic associated with the processing facility, will be offensive to the surrounding area/neighborhood and not in keeping with the intent of five acre minimum requirement, irrespective of the lot size this marijuana grow operation will entail
7. The project as proposed should be sited and belongs in an agricultural/industrial area, such as the Kent Industrial Valley, where such energy and water intensive operations are prevalent. We suspect the reason the proponents are not proposing a grow and processing plant there is costs—if their proposed project cannot pencil out there, this is not justification to try and locate it here, in this rural and pastoral, family oriented area.

8. There is no way this proposed industrial grow and processing facility and its 8 foot crime abatement fence fits into this rural area and neighborhood that the 5-acre minimum was enacted.
9. The car and truck traffic and associated noise of workmen and transport trucks coming and going and the dust created is not in keeping with the tenants of the 5-acre minimum requirement to protect the rural nature of the area and neighborhood.
10. Natural migration routes of native wildlife will be severely impacted.

#### 11. OTHER IMPACTS

- A. Foul odors emitted by the facility that are characteristic of such marijuana grow and processing facilities.
  - B. Where will all the water (6 gallons per day/plant) required for the grow/processing facility come from—will it impact my well and other neighbor wells?
  - C. Fertilizer run-off.
  - D. Pesticides that the facility will need and attendant runoff of associated chemicals into the water shed and aquifer.
  - E. Traffic impacts—significant dust and noise from cars and trucks of factory, delivery and support workers to and from the plant.
  - F. Pollution emitted by the workers cars and transportation trucks and the noise they will create and the impact they will have on a rural and quite neighborhood. This is one of the biggest reason we live in a rural area—to get away from the industrial facilities and their inherent impacts.
  - G. Crime impacts associated with marijuana for which the proposed 8 foot fence will not solve in such a rural and unpoliced location. Armed guard are not a solution in this rural neighborhood.
  - H. Impacts on the pastoral landscape of neighboring properties and homes.
  - I. Noise of cars and trucks coming and going at all hours of the day and night.
  - J. Light pollution in this rural and quite, scenic area.
  - K. Loss of wild life.
  - L. Disruption of traditional wildlife migrating routes.
  - M. Increase in crime in the area.
  - N. Armed guards.
  - O. The location is in a low area next to a pond. How will run off of fertilizer and pesticides and other chemicals be prevented from entering the stream?
  - P. Potential pollution of our ground water and aquifer and the existing drainage ditch that abuts the proposed processing plant and grow field, and surface waters that drain into streams.
  - Q. Will the high electricity consumption impact our local grid?
12. The project will result in an increase in crime in the area. The proposed 8 foot fence will not deter all intruders.

13. Industrial plants and traffic and other attendant issues of operating plants do not fit with the intent of the 5-acres minimum regulation.
14. How will sewer water from toilets be handled? In my case, the County required a very sophisticated (and expensive system) that included two 1000 gallon concrete tanks, large sand filter, and two drainage fields, and I live on top of the hill. We were going to build on the eastern portion of our acreage (it abuts the Alsager property). It has a higher elevation than the proposed marijuana project site—but were told it would be difficult to get a septic system permitted. What is proposed for this site?
15. This industrial grow and processing plant is not in keeping with the intent of the 5-acre minimum requirement! It belongs in the industrial corridor, such as the Kent agricultural/Industrial Valley area where such projects are welcome—not in a remote and scenic rural neighborhood, that the 5-acre minimum lot size was designed to protect.
16. Bottom Line—you cannot allow a project to disrupt and damage the environment in the vicinity of the project and the lives of the people that live here and which moved here because of the rural nature of the area, the wildlife, and scenic beauty of the area—their project is inconsistent with the intent of the 5-acre minimum lot size! Please direct the applicant to find an area that is suitable for this type of project.
17. In my review of the proponents description of the project it is not clear how process waste water (processing and human waste) will be handled, as well as how the grow and processing foul odors characteristic of such facilities will not disrupt our lives and the value of our property. Our property directly abuts with Alsager's property and, as such, this needs to be explained in detail. This is a very important issue, and I request that you advise all other affected people in the area just how this wastes and odor will be addressed.
18. Our property abuts Alsager's property. As such, the proposed marijuana grow and processing facility will greatly impact the value of our property, possibly making it unsaleable at current or forecasted pricing, as odors and crime characteristic of such facilities greatly impact adjacent properties.

This is why such facilities are located in industrial/agricultural locations—not in family neighborhoods. As such, a marijuana grow and processing facility in this rural area should not be permitted. It belongs in a remote site or, as mentioned elsewhere in this letter, in an agricultural/industrial area such as the Kent valley agricultural/industrial area. I suggest, that the site would be ideal for growing blueberries or some other crop consistent with the 5 acre minimum requirement meant to protect the area from projects such as that proposed.

In summary, we hope you will visit the area and see for yourself first hand that siting a grow and processing facility with an 8 foot security fence is not in keeping with the intent of the rural setting of this pristine area that a 5-acre minimum lot size was enacted to protect. We and our neighbors would be

severely impacted by the operation of the proposed marijuana grow and processing facility and hope that you will not grant a permit for this proposed industrial grow and processing plant.

We purchased our property in this rural farming community and scenic area with a 5-acre minimum lot size that was promulgated to limit the hustle and bustle of suburbia, traffic, noise and other woes of suburbia and industrial/plant operations for the express purpose of protecting the people that live here and to maintain the rural nature of this unique scenic area located at the foot of the beautiful Cascade Mountains.

The proposed project will adversely impact the lives of people that live in the vicinity of the proposed project and the value of adjacent properties, and increase crime that the 8 foot fence is supposed to minimize. Such projects that will impact the lives of other people and other properties should not be allowed, particularly when there was passed a 5-acres minimum requirement that was intended to protect the rural, scenic, pristine nature of the area.

We hope you will not permit such a project that will so adversely impact the area, our lives, and the value of our property and adjacent and nearby properties.

Thank you for your consideration.

*Don and Barbara Clasen*

*HOBART CONCERNED CITIZENS*

4-6-16

4/6/16  
COW

To: Council of the Whole  
Chairperson: Kathy Lambert

RE: Public Hearings on the KCCP

My name is Charles Hahn, and I live at 25503 SE 192<sup>nd</sup> St., Maple Valley, WA 98038 with my wife, Leigh Landry. My residence is in unincorporated King County in an RA5 zone.

I'm writing this in response to the planned Tier3 Marijuana Producer and Processor at 20241 269th AVE SE in Hobart (permit # CDUP16-0002). This facility would consist of a 31,688 square foot grow facility, additional green houses, out buildings, employee parking areas and would be constructed in an RA5 zoned location next to recognized wetlands and ponds.

Per the King County 21A.04.030 Agricultural zone guidelines "The purpose of the agricultural zone (A) is to preserve and protect irreplaceable and limited supplies of farmland well suited to agricultural uses by their location, geological formation and chemical and organic composition and to encourage environmentally sound agricultural production". Placing a 31,688 processing plant on this property goes against these stated purposes and should not be allowed. Rural Area zoning guidelines also state that small scale farming is permitted but that it should be compatible with "rural character" which a 31,688 square foot processing facility would certainly not do. In addition, the environmental impact of such a processing plant, especially one located adjacent to ponds and wetlands could be catastrophic and irreversible. The chemicals used in the growing and processing of the marijuana could negatively impact neighboring properties and well water in the area, a vital concern for many of us in rural King County.

In Ordinance No. 5000, section 17.14.260, dealing with the regulations for outdoor cultivation of marijuana, El Dorado County, California stated that "The cultivation of marijuana has the potential for increased crime, intimidation and threats. As marijuana plants mature, certain varieties can develop a strong odor which creates an attractive nuisance by alerting people to the location of valuable marijuana plants; this creates an increased risk of crimes including burglary, trespassing, robbery and armed robbery. Law enforcement officers have reported an increase in calls from reported respiratory problems and allergic reactions to marijuana plants." As state in the Preamble of the King County Charter it is the responsibility of the Council to "preserve a healthy rural and urban environment" and this planned project apposes this goal in every way.

Please update the KCCP to disallow this facility and types like it from irrevocably damaging our way of life. Thank you for your consideration on this matter.

Charles Hahn



Leigh Landry



4/16/16 cow

To: Council of the Whole  
Chairperson: Kathy Lambert

RE: Public Hearings on the KCCP

My name is Adrian Medved, and I live at 20208 269<sup>th</sup> Ave SE Maple Valley, WA 98038. My residence is in unincorporated King County in an RA5 zone.

What I believe the KCCP needs to address, is the marijuana zoning presently in place. Producing and processing is presently allowed in the RA5 zone. The RA5 zone is a rural residential zone, no different from other residential zones but with limited density. Although you state in your Marijuana zoning summary, that Marijuana is not agriculture, not a home industry, and not a home occupation, you then allow producing and processing in the RA5 zone on a minimum 4.5 acres, as a resource land use. Under resource land use there is Agriculture, Minerals, Forestry, Fish and Wildlife Management, and Accessory uses. Marijuana is not agriculture, but permitted as a resource land use under agriculture. Marijuana is then allowed in CB, RB and Industrial Zones with no land required and indoor growing only. One of the negative impacts of marijuana production is that it has a very offensive, penetrating and unhealthy odor, which cannot be controlled with an outside grow. If this is going to be allowed in a rural residential zone than it needs to be regulated just like any other business, especially in light of the fact that it is the producing/processing of a controlled substance, and against Federal law. Regulations need to protect the residents from the criminal element and protect the health welfare and safety of our children.

The voters voted for I-502 and now it is the responsibility of our governing public entities to come up with responsible regulations to mitigate the negative impacts. The WSLCB has made it very clear that our counties and municipalities are responsible for regulations using their land use codes. Under King County Title 21A, there are little to no regulations to protect the surrounding residences from the negative impacts. Negative impacts such as: environmental impacts, waste water treatment, sanitary conditions for the workers at these industrial grow sites, concerns for personal safety, especially in residential areas, based on the increased likelihood of burglaries, etc., potential for unlimited numbers of recreational marijuana businesses, concerns for potential negative impacts on real property values, no requirement for public access, thus burdening the many private roads and private easements. Even if these easements have covenants for residential use only, the residents have to sue in superior court and have the court uphold the covenant. Require public access for any CUP for marijuana producing/processing and remove that legal burden from the residents. There are no hours of operation required so these businesses can run 24 hours a day and run their lights 24 hours a day. When these 30,000 sq ft grows get ready to harvest, they flush the plants of all the chemicals. What chemicals are they using and where are they flushing those chemicals. This is just to name a few areas where our zoning is lacking and burdening the rural residential residences. The scope of a 30,000sq ft grow, whether indoors or outdoors, has the same negative impacts especially without adequate zoning regulations.

Industrial production is not compatible with our rural area and the purpose of our RA zone is to preserve and protect our rural land. Even the grows in greenhouses look like "prison" greenhouses with ugly security fences, and perimeter surveillance lighting. Without responsible zoning that mitigates the numerous known impacts, you are putting our rural lands and rural character at risk. Marijuana producing and processing is incompatible with a rural residential area and should not be allowed! And if allowed, needs very specific regulations that address the negative impacts.

Thank you for your serious consideration of an ever growing problem that will just continue to fester without more responsible zoning.

Respectfully submitted,

Adrian Medved 

4/6/16 CWJ

John & Lori Sutter

PO Box 143  
Hobart, WA 98025

Home Phone 425-358-7978

April 6, 2016

**To: King County Council of the Whole**  
**Chairperson: Kathy Lambert**  
**Regarding: King County Comprehensive Plan**

**We are John and Lori Sutter, and we live at 26417 SE 200<sup>th</sup> Street, Maple Valley, WA 98038. As residents of rural unincorporated King County we are asking for responsible zoning regarding marijuana production.**

**It is our understanding that the passage of I-502 by the voters left each county with the responsibility to create their own regulations as far as where marijuana can be grown and processed. We have recently heard a number of stories from rural residents in different counties, regarding the many negative impacts of marijuana production on rural families. These unintended consequences of marijuana production in RA5 neighborhoods include the following:**

- **Increased traffic and noise**
- **Significant increase in crime**
- **The use of chemicals which may damage the environment, the water systems and harm wildlife**
- **Fencing and lighting reminiscent of a prison facility**
- **Diminished property values**
- **During certain phases of production, marijuana gives off a terrible stench that permeates the neighborhood for an extended period of time**

**Residents in a number of rural King County neighborhoods have been forced to spend a significant amount time and money to attempt to stop the marijuana production facilities from being built near their homes. This seems unreasonable.**

**Rural King County is a beautiful resource. That is why people choose to live here. It is perfect for cows, horses, trees, wildlife, and families. It is not suited for the many problems associated with the production of marijuana. Marijuana production should be limited to locations that are compatible, and that have manufacturing infrastructure, and adequate law enforcement resources.**

**As citizens of unincorporated King County, we rely on you, our elected officials, to put in place responsible zoning regulations that protect the natural character of the RA5, as well as the safety of those who live here. We are asking that King County prohibit the production of marijuana in the RA5 zones.**

**Thank you for your consideration.**

**Respectfully,**

*John Sutter Lori Sutter*

**John & Lori Sutter**

Having read thru this expansive document, I found that the plan is very encouraging. But then I recall that I had the same findings when I read the 2012 Comp Plan. As they say plans and results don't always coincide and we know that in certain instances there were significant directions that KC government took/allowed in violating the principals and goals of the 2012 CP. Focusing thru my "SE county knothole", I saw a total disregard of the principals of keeping the rural area rural when Pacific Raceways requested expansion of their allowed uses (via a TUP and an IUP), CUP and code violations as well as designation of their expansion plans as a "Project of Statewide Significance" and an ordinance steamrolled thru council and executive for the expressed purpose of continuing "piece-meal" development. I say steamrolled since the CUP, and later requirements, specified that any changes to it's conditions require a public meeting in the area, NO more "piece-meal" development and an EIS for any new building permits, none of which happened. Also the council recommendation for Project of Statewide Significance designation was done with no public involvement nor notification. Anyway, one has to wonder how building garages a "Project of Statewide Significance" and meet the KC Code for IUP. "Interim uses" is defined as having only a "temporary, limited time" requirement. How do permanent structures (garages), paved parking lots and roads meet this "temporary, limited time" requirement? And lets not forget that this may be just another million yard gravel extraction without doing any of the development proposed as was done for the drag strip relocation.

The allowance of Demonstration Projects is another loophole to place generally unwanted industries/businesses such as mining, materials recycling, warehousing and racetrack expansion within residential areas. These developments are significantly impacting to neighbors who then suffer health issues and loss of property value due to the negative aspects of noise, dust and environmental pollution(s).

The KC government's disregard of noise as a significant problem was enforced by their allowing the Public Health Dept. to drop any noise related activities and not designating funds to reduce the problem. The rest of the world's public health agencies are working to reduce noise problems, but KC is going in the opposite direction. The racetrack CUP required a noise mitigation plan, but ZERO mitigation has been accomplished in the last 30 years while the noise levels and hours of noise have increased.

As for the BS about all the JOBS the raceway development will create, one has to do a reality check wondering how many workers will be receiving a moderate, living wage for raceway activities that are mostly seasonal (ie less than 6 months) when no non-racing sales nor non-PacRac manufacturing are allowed.

Don Huling  
SCAR director

## Demonstration Projects

April 6, 2016

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Others have mentioned Demonstration Projects tonight and I would like to continue that discussion.

Demonstration Project is a term used to describe what, in reality, is a work-around, short cut, a fast-track process, used to bypass the standard process typically mandated when making changes to land use in King County.

According to what we have witnessed in Southeast King County, here's how it works. A Project Proponent in King County approaches a King County Council member for sponsorship. This King County Councilmember is lobbied to lend his or her support to the proposal.

If the decision is made to support the Proponent, it is important to realize that the sponsoring King County Councilmember can be from any district. He or she does not have to be from the district in which the property is located. Someone from a city way up North, can sponsor a project in the rural south end of the county. This is considered within the rules of Council operation.

A Demonstration Project has the following elements:

Requirements are customized to the project and are agreed upon between King County and the Proponent in a manner not transparent to the public.

Timelines for submittal are capricious, thus making it possible for Demonstration Projects to be inserted into the Comprehensive Plan process at irregular times, and even at the last minute. In one case, it was inserted after hearings had taken place in Seattle to prevent the project from going forward.

Environmental procedures are not adequately addressed. In one case, a Conditional Use Permit has sufficed in place of a normally mandated Environmental Impact Study. This is a major travesty and many residents living close to these sites are suffering from this travesty today.

Oversight/Accountability is missing. With approval granted by the King County Council and the Proponent allowed to proceed, local residents impacted by the project are easily dismissed, with no one to take their side. Calls are not returned. Serious issues are not addressed and it appears the County has washed its hands of any responsibility and accountability.

Attempts are being made to alter zoning ordinances which have been in place in rural areas for decades. Allowing rezoning to occur at the whim of a Demonstration Project is a very irresponsible precedent. Once done, how soon before others seize the opportunity and the quality of rural life becomes significantly diminished.

It is my opinion that Demonstration Projects need to stop completely. Not only are they undemocratic, they foster hostility and mistrust on the part of unincorporated citizens toward King County. In addition, they violate some policies within the King County Comprehensive Plan itself.

Susan Harvey  
susandharvey@hotmail.com

4/6/16 cow

**2016 KCCP Update Oral Testimony before King County Council "Committee of the Whole"  
Wednesday, April 6, 6:30 - 9:00 PM, Gracie Hansen Bldg., Ravensdale, WA**

My name is Peter Rimbo. I am speaking on behalf of the Greater Maple Valley Unincorporated Area Council (Area Council). I serve as Chair of our Growth Management Committee and, as such, manage and coordinate our King County Comprehensive Plan (Comprehensive Plan) Update review and comment.

Our Area Council has served greater Maple Valley for over 40 years as an important sounding board and voice for Rural Area residents. We helped local people seek incorporation of the City of Maple Valley. We have provided valuable input to you on County objectives, Code, and the Comprehensive Plan. We look forward to continuing those relationships.

We applaud the more wide open process being followed for 2016 Comprehensive Plan Update. Although we have been reviewing and submitting comments on all major 4-yr Updates for many, many years, this is the first time we have been provided the opportunity to help shape the Executive's Public Review Draft. Many of our early comments were accepted and became part of the PRD released last November. This has helped the people, who are most directly affected by the Plan, have a direct say in its preparation. We also applaud the Executive's Office and its Comprehensive Plan Manager, Ivan Miller, and Senior Policy Analyst, Karen Wolf, for holding multiple meetings with our Area Council over the past 14 months.

To conduct our in-depth review we assigned specific Chapters, Attachments, and Appendices to our four major Committees: Economic Development, Environment, Growth Management, and Transportation. Our Committees held multiple meetings prior to presenting comments to our full Area Council for deliberation and final approval. We made multiple submittals to the Executive's Office throughout 2015 culminating in a set of PRD detailed comments in early January.

In general, we are pleased with the Plan as submitted by the Executive to the Council on March 1. However, we still do have some specific comments to present to you tonight.

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

Over the past two years we have hosted several standing-room-only meetings where resident after resident has voiced deep concerns with Marijuana growing operations, processing/manufacturing facilities, or distribution businesses being sited in Rural Area residential neighborhoods. Such businesses could be quite lucrative both with valuable product on the premises and amount of cash on hand. However, as you well know, the County cannot always provide adequate Police protection to the Rural Area. This is a dangerous mix. We call for such operations to be recognized in the Comprehensive Plan as incompatible with the Rural Character the County and we strive to maintain. Further, we call for KC Code definitions **21A.06.605 Home industry** and **21A.06.610 Home occupation** be revised back to their pre-2008 Comprehensive Plan definitions to address the existing loophole where a residence can be converted to a business establishment without maintaining *"the primary use of the site as a residence."*

Policy R-309 deals with Transfer of Development Rights receiving sites. To meet the original intent, Rural Area properties should not serve as receiving sites for any TDRs.

Policy R-326 deals with siting of facilities in the Rural Area. We applaud language here and in **Chapter 9--SERVICES, FACILITIES, & UTILITIES** to preclude those those facilities that primarily

**2016 KCCP Update Oral Testimony before King County Council “Committee of the Whole”  
Wednesday, April 6, 6:30 - 9:00 PM, Gracie Hansen Bldg., Ravensdale, WA**

serve urban residents from being located in the Rural Area. However, to truly fix the problem, KC Code 21A.08.060 A. Government/business services land uses must be changed under “Specific Land Use” – “Utility Facility” by adding a new Note (#38) as a Development Condition to all Zoning Designations.

**CHAPTER 8 -- TRANSPORTATION**

Policy T-102 deals with regional transportation planning. We and other Rural Area UACs and Associations held a very well attended Transportation Forum with State, Regional, and County representatives in Issaquah in September 2014. Chairwoman Lambert, I sat next to you and presented our findings on “rural regional corridors” and sustainable funding. With Rural Area growth at ~200 per year and almost all growth going to Urban Areas, major County roads are used primarily by urban residents. Consequently, we believe “County road networks.” which know no jurisdictional boundaries (similar to State roads), should be established and funded by all County taxpayers. We reviewed the January 2016 recommendations of the County Bridges and Roads Task Force, unfortunately it did not include this “network” concept. We urge the Council to explore this “County road network” concept.

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

Policy T-224 deals with TDRs being used to satisfy Concurrency. This policy should be deleted, 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.

**CHAPTER 12— IMPLEMENTATION**

Policy I-203 Item b. appears to eliminate 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 or many, many members of the Public in our area. The proposed Demonstration Project never has been consistent with other policies in the Comprehensive Plan. We urge you to ensure the County follows its standard methods for transitioning mining sites when resource extraction is complete.

We will be submitting our detailed Written Comments to the Council’s TrEE Committee in the coming months.

Thank you again for this opportunity to articulate our comments on the 2016 KCCP Update.

4/6/16  
COW



King County

# Public Testimony

Please use this card to provide written testimony. Your comments will be distributed to Councilmembers and entered into the record. You may also testify online at [www.kingcounty.gov/council/testimony](http://www.kingcounty.gov/council/testimony). Thank you for attending our public hearing.

In support of "the Notch"  
I live on 272<sup>ND</sup> St next to  
Covington. When I moved there  
there were no stores, etc.  
Now Home Depot is across the  
street, etc. In 2 years I  
probably can't get my horse  
trailer out of the driveway  
due to traffic & divided road.  
However I have to wait 4 years  
to be added to Covington or

proced.

**For the Record**

Name:\* Peggy McCann  
Address:\* 18305 SE 272<sup>ND</sup> St  
Email: pa-mccann@comcast.net Phone: 253 630 3032

Need a short term

\* Required

4/6/16  
COW

4/6/16 COW



HANK HAYNES  
6 APR. '16  
AMBER SHEETS

King County

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HANK HAS BIG BARN TOO!

# Public Testimony

Please use this card to provide written testimony. Your comments will be distributed to Councilmembers and entered into the record. You may also testify online at [www.kingcounty.gov/council/testimony](http://www.kingcounty.gov/council/testimony). Thank you for attending our public hearing.

Hi My NAME'S HANK HAYNES  
& I LIVE NEXT TO SPRING LAKE.  
I've ATTACHED A LARGER SPEECH  
HERE TO. PLEASE SUPPORT  
"BARN AGAIN" PROGRAM. BARN  
ARE VITAL TRADITIONAL SYNERGISTIC  
STRUCTURES, PROVIDING PLACES TO  
MEET; DANCE; INVENT; WORK  
ON PROJECTS; ~~REPAIR~~ MAKE & REPAIR  
FARM AND MARINE EQUIPMENT;  
GROW FOOD (SUCH AS AQUAPONICS);  
AND PROVIDE SHELTER FOR ANIMALS.  
THEY ARE KEY HERITAGE BLDGS!

For the Record

Name:\* HANK HAYNES  
Address:\* 17427 - 195TH PLC. SE. (RENTON) WA. 98058  
Email: \_\_\_\_\_ Phone: \_\_\_\_\_

\* Required



4/6/16

CSW

King County

# Public Testimony

Please use this card to provide written testimony. Your comments will be distributed to Councilmembers and entered into the record. You may also testify online at [www.kingcounty.gov/council/testimony](http://www.kingcounty.gov/council/testimony).

Thank you for attending our public hearing.

I have 2 questions

How did Sugarloaf estates get parcels less than 5 acres? I thought east of Maple Vly Hwy had to be minimum 5 acres

Two: Landfill at Landsburg. It's been closed for over 10 yrs; but model airplane people are using it. Why not the rest of the public?

## For the Record

Name:\* Bonnie Scott

Address:\* 30014 312 Wy SE Ravensdale

Email: blscott50@juno.com Phone: 360-886-2350

\* Required

4/6/16  
COW



**King County**

# Public Testimony

Please use this card to provide written testimony. Your comments will be distributed to Councilmembers and entered into the record. You may also testify online at [www.kingcounty.gov/council/testimony](http://www.kingcounty.gov/council/testimony). Thank you for attending our public hearing.

I am asking for consideration regarding a shift in the UGB in the area called "The Notch" off of Duthie-Will Road. Please do not change the UGrowth boundary. We moved to R-5 zoning and would like it to retain that character. We do not want to be annexed by the City of Sammamish.

**For the Record**

Name:\* Kim Wiersum<sup>um</sup>  
Address:\* 2445 270<sup>th</sup> AVE SE  
Email: kimwiersum@gmail.com Phone: \_\_\_\_\_

\* Required

4/6/16 COW



King County

# Public Testimony

Please use this card to provide written testimony. Your comments will be distributed to Councilmembers and entered into the record. You may also testify online at [www.kingcounty.gov/council/testimony](http://www.kingcounty.gov/council/testimony).

Thank you for attending our public hearing.

As a board member of the Rock  
Creek Ranch neighborhood I would  
like to petition for traffic controls  
(perhaps a speed hump) on 268th Ave  
SE to discourage the use of this  
residential street by trucks coming  
and going. Its a danger to school  
children walking to/from bus stops  
a noise issue and a maintenance  
issue.

**For the Record**

Name:\* Matt Taylor  
Address:\* 26741 SE 272nd St Ravensdale wa  
Email: matt.r.taylor@gmail Phone: 852-649-1101

\* Required

4/6/16 COW

HANK HAYNES  
ATTACHED SPEECH TO AMBER  
SUPP. SHEET  
6 Apr. '16

King County Counsel  
1200 King County Court House  
516 Third Avenue  
Seattle, Wa. 98104

Wednesday, April 6, 2016  
Speech@ **GRACY HANSEN Bldg.**  
Ravensdale, WA.

KCC FAX: Ms. Kendal Moore, TREE Spec. (206) 205-5156

**Re:** Noise, Synergy, Maple Valley Area Parks and Scenic Vistas, and **CH. 10** Econ. Dev.;

**Subject: K.C. COMP.PLAN 2016 UPDATE; HWH MAIN SPEECH**

**To Honorable Council Members:**

- 1) My name is **Hank Haynes**. I live near the Spring Lake/Lake Desire park.
- 2) As we do not have much time here, I am including a 3 page **Attachment "A"** to this speech relating to the use of **SYNERGY, or doing multiple things with one action**. This may save the county money, better use resources, and open opportunities as expressed **CH. 10 ECONOMIC DEVELOPMENT**. Important to these ideas are **DEMONSTRATION PROJECTS**, which are low volume and **EVOLUTIONARY** opportunities within King County. I respectfully submit that these may be subject to incremental periodic review, improvement revisions considered, and **improvements made** as more information becomes available. This seems a time honored process found within invention and innovation, and product periodic revision. I also am making comments on **DIS-SYNERGY**, which involves factors that fracture previous efficient synergistic linkages; and quickly disrupts drivers to innovation, job creation, production (and productivity) inside not only the rural economy, but inside enjoyment and economies of cities as well. Dis-synergy can quickly dis-effect and disrupt a family, a business, a regions, and potentially a countries, economy, much like pushing a big stick across the wheel spokes of a fast moving bicycle. Counties planning seems to want to work toward having **harmony and synergy**, and improve regional health and prosperity.
- 3) In closing, I want to thank the County for allowing me to express my U. S. Const. 1<sup>st</sup> Am. rights privilege here. King County tries hard to have local community meetings, but they are careful with your tax dollars. You may also share ideas with unpaid volunteer community groups and counsels, as county often has representatives in attendance. One interesting group is the **Greater Maple Valley Unincorporated Counsel** that, at the **first Monday of each month**, meets in the City of Maple Valley Fire Station. Be heard. Join.

**THANK YOU!**

**Most Respectfully; Hank Haynes (Draft Only: writing as a private Party)**

**PHONE: (425) 432-5791 ADDRESS: 17427 195<sup>th</sup> Plc. SE, Renton, WA 98058**

4/6/16 cow

Introduction: My name is Lorna Rufener, I have been a resident of the Enumclaw Plateau for 33 years. I am a retired Kent Police Department captain where I served nearly 30 years.

I am addressing Crime Statistics in our rural Enumclaw Plateau area, Medicinal Marijuana & Illegal Grows:

We requested crime statistics for our area of approximately 2.0 square miles. In the last 18 months we've had 34 residential burglaries, 61 suspicious circumstances with a police response. On Feb 27th we had a drive by shooting in our rural neighborhood. KCSO has said many of these incidents involve narcotic's activity and criminals who are stealing to use the money for drugs. After nearly two years and multiple arrests two suspects were finally apprehended and may only serve a few months to a few years in jail. We are seriously underserved and unprotected in the southern most part of King County. We plan to address our concerns at a future community meeting being held in May.

On Feb 11th at our neighborhood crime coordinators meeting KC Sgt. Myers advised there has been 9 robberies to producers/retailers and one homicide at a Fairwood area marijuana growers residence. This is a cash business, which has inherent risks to those producing, selling, and residing by marijuana businesses. In addition the potential for money laundering is significant to avoid taxation. This doesn't make sense to have these businesses located in residential or rural areas that are underserved and unprotected.

We are aware that July 1, 2016 the Liquor and Cannabis Board will take jurisdiction over medical marijuana, However, they do not have police powers, and when they discover an illegal grow, they will refer such grows to local law enforcement. Again, we have been told there are 100s if not 1000s of such grows, not paying taxes and there is a totally inadequate response from our criminal justice system.

We are unprotected by our state cannabis board, cities have banned this type of industry in their jurisdictions where it actually makes sense to produce in industrial areas, which are non residential and secure. We believe that your listening to our concerns about Production/Processing/ & Retail marijuana in rural residential areas is best addressed through responsible land use planning & zoning. We urge you to help us secure our neighborhood communities and eliminate illegal drug trafficking. We urge you to continue the moratorium on such enterprises until stricter zoning can be completed in the Comprehensive Plan.

King County Sherriff

Wednesday, April 6, 6;30- 9:00 PM. Gracie Hansen Bldg., Ravensdale, WA

Good Evening. My name is Gwyn Vukich, I reside on the Green Valley Road East of Auburn. I am the President of the Green Valley Lake Holm Association, however tonight I would like to speak to you as one of your constituents. I want to commend you on the process you are utilizing to update our County Comprehensive Plan. Primarily with having this meeting "way out here in the country" Your staff has also been very helpful by providing guidance to help people understand the old Comp. Plan...and what changes are being made to the new Comp. Plan.

As a one of the farmers on Green Valley Road who has sold our Development rights to "the County". I'm concerned with the out of control traffic on our road. We recently had 3 car accidents,(1 took out a power pole and a framers fence, the other 2 took out farmers fences) When fences are destroyed then cattle can get out if the farmer is not at home..and that causes another hazard on the road. 1 motorcycle fatality, (in front of my farm) and one bicycle fatality within a 2 week time period . When we sold the development rights..one of the questions we asked was.. will we recieve help to be able to keep farming from the County. We were assurd of that.. several of us farmers need to use the road with our tractors and equipment and it is not safe. Also there are times when farmers need to take their animals across the road. Whenever we ask for more police protection we are told there is no money..How many more lives have to be lost on our road, before we get some help? With the new development in Black Diamond it is only going to get worse.. If we could get some emphasis patrols for a while.. Then people would start to respect the speed limits we have.. like in Black Diamond... I will never go over 25 in Black Diamond.. I know they are a small town..but something needs to be done to stop the racing, passing on the blind corners and speeding on Green Valley Road. The Roads division has been working to clean off the sides of the road for the bikers but the way the traffic is.. it is not safe for the bicycles to use the road. It is a beautiful "Heritage Road" and and should be used by all that want to enjoy the drive without risking their lives.

Thank you again for coming out our way.

Gwyn Vukich

15626 SE 352 nd St.

Auburn WA, 98092

253 939 0627

gvukich@msn.com

4/6/16 COW

**King County Council's Committee of the Whole KCCP 2016 Update Special Meeting  
Ravensdale, Washington  
April 6, 2016  
Judith Carrier for the Green Valley/Lake Holm Association**

**My name is Judith Carrier. I am speaking for the Green Valley/Lake Holm Association, whose volunteers serve within the Southeast King County Community Service Area. Our connection and communication with our county government are through Alan Painter, CSA Manager, and Marissa Alegria, our liaison. Both are informative and valuable to our community. We appreciate working with such fine people.**

**The Green Valley/Lake Holm Association serves the Rural Area community located in the unincorporated area between the city limits of the cities of Auburn on the west and Black Diamond on the east. The Association's northern boundary is roughly the Auburn/Black Diamond Road. The southern boundary is the Green River Valley below the Enumclaw Plateau.**

**We want to thank all of you for coming to Ravensdale to hold this special public meeting. A special "thank you" to you, Councilmember Dunn, for your part in helping to schedule this meeting in Southeast King County at this great venue and park, whose development benefitted from your involvement.**

**The Green Valley/Lake Holm Association, through volunteer committee work, research, and meetings with Assistant Division Director John Taylor of the Department of Natural Resources and Parks prepared recommendations for the 2016 King County Comprehensive Plan 4-Year Update for further protection of rural water systems (wells and springs) throughout the county. Our recommendations were included in the Executive's proposed KCCP update, Chapter 5, p.72 at E497.**

**Paraphrasing briefly, our recommendations are that King County should require:**

- **Risk assessment and monitoring of Class B, domestic water supplies;**
- **Coordination of the findings with various levels of government, agencies, and the system purveyor; and**
- **Developing plans to mitigate for loss of or serious impairment to those well or springs.**

**We ask the Council for its support of our recommendations. Without adequate quantity of potable water, I'm sure you would agree 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.**

**Because of their productive agricultural lands, fragile environment, and economic needs, both King County and its Rural Area Class B water system owners are especially vulnerable and can't afford contaminated water and/or its reduction in quantity or its total loss.**

**Thank you for providing us with this opportunity to speak you at a place and time that is easier for us than Seattle.**

4/6/16 COW  
FRANK MELFI  
FOR RESERVE SILICA

## Introduction

### A. 2012 Comp Plan Amendment

In 2012, the County Council modified Comprehensive Plan Policy I-203 to allow for a mining site conversion demonstration project. Recognizing the need to consider alternative uses once a mining site ceases operation, Policy I-203 sets forth specific subjects that a demonstration project must address.

For the 2012 Comp Plan Update, Reserve Silica (RS) submitted a request to redesignate its mining site near Ravensdale to Rural and AR-10. At the time it prepared its request RS estimated that reclamation would be complete before 2020. The proposal was submitted pursuant to Comp Plan Policy R-691 and R-692 both of which address reclamation and post-reclamation uses. The County Executive responded to the AR-10 request recommending that the RS mining site be placed in the Forest Production District and zoned Forest. The rationale presented by Executive staff was that the RS AR-10 proposal could result in conflicts with adjacent forest and mining activity and may pressure other resource designated properties to convert to residential uses.

To address the viability of the Executive forestry proposal, Reserve Silica commissioned two forestry studies. One was prepared by International Forestry Consultants and the second was completed by faculty from the University of Washington School of Environmental and Forest Sciences. International Forestry concluded that the mining site is not well suited for long term commercial forestry and would require significant and impractical investment to create productive forest soils. The UW Faculty group confirmed the conclusions of International Forestry and determined that the mining site did not qualify as Growth Management Act forest land of long term commercial significance. All property owners adjacent to the mining site wrote letters of support for the RS proposal explaining that they each considered the proposed site plan submitted by RS would be compatible with surrounding uses. As to the pressure to convert to residential use, RS reminded the County Council that lands controlled by the Black Diamond Conservation Easement abut the east and south borders of the mining site. Under the terms of the Conservation Easement forestry and mining are the only permitted uses so it was highly unlikely that there could be a conversion impact attributable to the RS AR-10 proposal.

Both the Rural Forest Commission and, at first, the Ravensdale group, Friends of Rock Creek, supported the Executive Staff forest zoning proposal. Ultimately, the Council elected to adopt its amendment to Policy I-203 in lieu of either the RS or Executive's proposal. The policy amendment was supported by the Friends of Rock Creek and Reserve Silica.

## **B. The Reserve Rural Demonstration Project Proposal**

The proposal described herein would implement a mining site demonstration project. It covers 518 acres located both north (the Demonstration Site) and south (the TDR site) of Black Diamond (See **Figure 1**). Thirteen percent of the Demonstration Project would be devoted to a 72 home a low impact development rural community that would implement King County Customer Information Bulletin 55. Fifty-five percent would be committed to long term commercial forestry. The balance of the Project area (thirty-two percent) would be protected as critical areas and permanent open space.

### **1. The Demonstration Site**

The **Demonstration Site** includes 377 acres of property, portions of which have been used since the early 1900's to mine coal and subsequently high quality silica sand. Currently, the site is being reclaimed, based on an approved Interim Reclamation Plan, with reclamation expected to be complete well before 2020. A Final Reclamation Plan will be prepared to implement the Demonstration Project. The Demonstration Site is located approximately ¼ mile north of the town of Black Diamond and ½ mile east of Maple Valley. The Demonstration Site is zoned Minerals (M) with an 80 acre portion zoned Forest (F).

### **2. The TDR Site**

The transfer of development rights (**TDR**) site is 140+ acres in size, located adjacent to the south boundary of Black Diamond and 2 ¼ mile from the Demonstration Site. This property has been used historically for forestry and has been approved by King County to allow the transfer of 28 development rights. It is zoned AR-5

### **3. Rural Low Impact Development (LID) Community**

A rural residential development of 72 home sites on 54 acres is proposed for the Demonstration Site. The homes will be divided into 9, eight lot groupings in two areas. Average density for the 518 acre proposal will be slightly less than one dwelling unit per seven (7) acres. The proposed master plan for the Demonstration Site is included as **Figure 2**. The CC&Rs for the community (**Appendix C**) sets forth guiding principles that include preserving the rural tranquil nature of the property, conserving and protecting environmental conditions, minimizes environmental impacts and ensuring that uses are compatible and consider rural character. Green building and LID practices described in King County Customer Information Bulletin 55 will be required.

### **4. Conservation Easement**

The balance of the Demonstration Site and all but 15 acres of the TDR site will be restricted by conservation easements. The easements will cover 449 acres – 83% of the combined properties and include 284 acres of managed forest, 108 acres of wetland and wetland buffer and 57 acres of managed open space. Specific land uses are shown in table format at **Tables 1 and 2**.

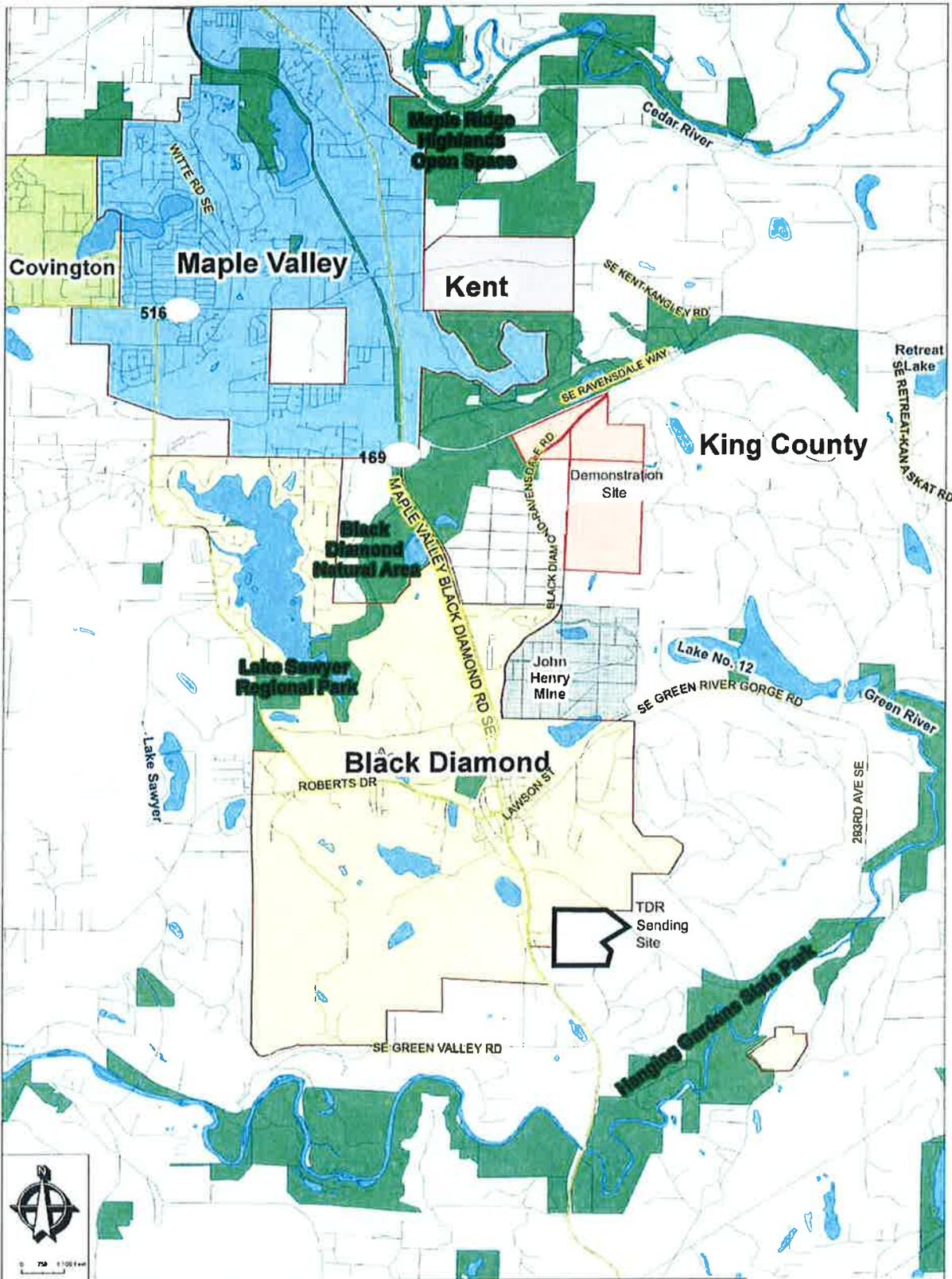
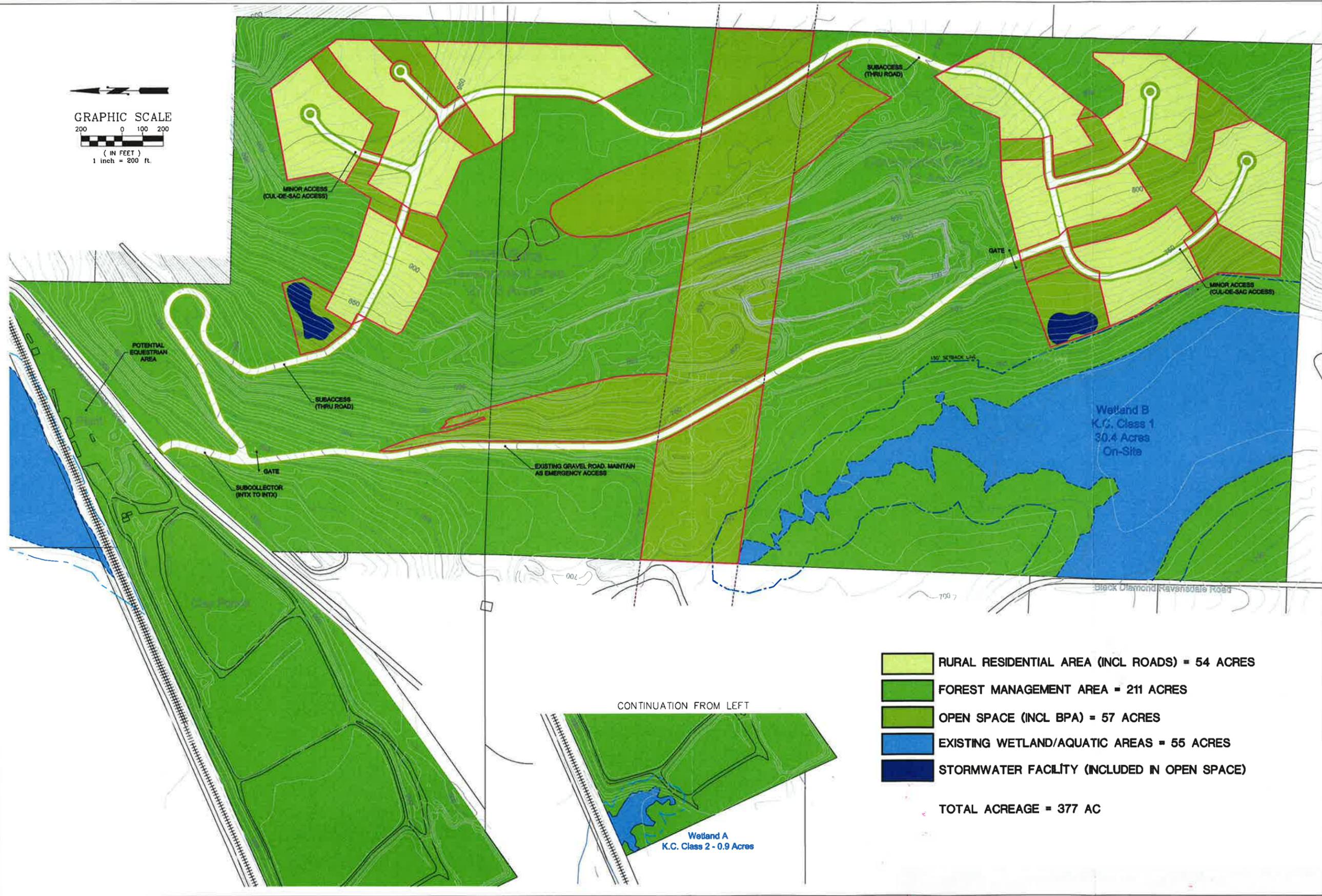


FIG. 1

RESERVE PROPERTIES

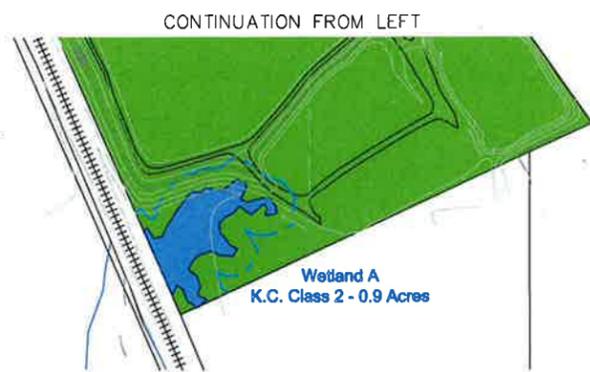
VICINITY MAP

Source: King County (2011), WSDOT



- RURAL RESIDENTIAL AREA (INCL ROADS) = 54 ACRES
- FOREST MANAGEMENT AREA = 211 ACRES
- OPEN SPACE (INCL BPA) = 57 ACRES
- EXISTING WETLAND/AQUATIC AREAS = 55 ACRES
- STORMWATER FACILITY (INCLUDED IN OPEN SPACE)

TOTAL ACREAGE = 377 AC



DATE	PRELIMINARY	UPDATE #1	UPDATE #2	UPDATE #3
9-30-14				
06-16-15				
07-07-15				
08-18-15				

CONCEPT ENGINEERING, INC.  
 455 Rainier Boulevard North  
 Issaquah, Washington 98027  
 (425) 392-8055 FAX (425) 392-0108



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**RESERVE PROPERTIES RECLAMATION  
 FOREST MANAGEMENT PLAN**

RESERVE PROPERTIES CORPORATION  
 P.O. BOX 99 98051  
 RAINIER, WA 98051  
 TEL: (425) 785-5390

## Site Characteristics

### A. Demonstration Site

#### 1. Resource Use

Portions of the Demonstration Site have been used for mining since the turn of the last century. At first, coal was mined; and subsequently, since the early 60's, silica sand has been extracted. It has continuously produced minerals for well over 100 years. Forty percent of the site has experienced intensive mining. The site has some forest cover but has never been managed for long term commercial forestry.

#### 2. Wetland

Twelve percent (37 acres) of the site contains an extensive forested wetland system. Located on the western edge of the Demonstration Site, it is a category II wetland and extends to the south of the site and connects with Sonia and Ginder Lakes. The wetland boundaries were delineated in 2003 and verified in 2015. Including the proposed buffer, total site area for this wetland is 55 acres. See **Appendix G**.

#### 3. Bonneville Easement

Six percent (20 acres) is in a Bonneville Transmission Easement. Activities in the easement cannot exceed twenty-five feet in height.

#### 4. Cement Kiln Dust (CKD) Disposal Areas

Two areas of the site (approximately 20 acres) were used in the 70's and early 80's as disposal areas for CKD. CKD is a fly ash by-product of the production of cement and has a high PH level. These areas are referred to as the Lower Disposal Area (LDA) and the Dale Strip Pit (DSP). Both areas have been capped – the LDA in 1983 and the DSP in 1991. These areas are being remediated and are controlled and managed by Holcim (US) Inc. Specific maintenance activities must be conducted by Holcim for these areas, including regular mowing to prevent trees and bush from being established. These practices are conducted pursuant to a 2008 Inspection and Maintenance Plan prepared by Golder Associates Inc. Ground water monitoring wells have been installed and quarterly monitoring reports have been submitted to King County and the Department of Ecology since the mid-eighties. For purposes of planning long term post-reclamation use, the 20 acres that encompass the LDA and DSP will be fenced to prevent intrusion and maintained in grass cover.

#### 5. Adjacent Ownership and Land Use

Two ownerships are located between the Western edge of the Demonstration Site and the Black Diamond Ravensdale Road. The northern smaller parcel (approximately 13 acres) is used

for rural residential uses. The larger southern parcel (approximately 40 acres) is divided by the Bonneville Transmission Easement. This parcel is used for log storage.

To the south and east of the Reserve Silica ownership are lands owned by Fred Wagner. All of Mr. Wagner's ownership is restricted by a conservation easement with Black Diamond. The easement is managed by Forterra.

## **6. Regional Context**

Maple Valley and Black Diamond are the cities closest to the subject properties. Black Diamond is the closest city – less than ¼ mile southwest. Maple Valley lies west and northwest. Undeveloped RA-10 zoned properties are directly west. RA-10 zoned property is also to the north and northeast. The open space that was required for approval of the Maple Ridge Highlands development abuts the northern boundary of the Demonstration Site. Ravensdale Lake and Ravensdale are northeast. The Lake Twelve potential annexation area is located southwest of the subject properties, as is the John Henry coal mine.

### **B. TDR Sending Site**

The TDR Sending Site is located adjacent to the southeast corner of Black Diamond. The site is slightly over 141 acres in size. In 2014 King County determined that the property qualified as a transfer of development rights sending site with up to twenty-eight (28) TDRs available for transfer. The County's decision is included as **Appendix A**. The County's decision describes the public benefits afforded by the property.

## **Interim Reclamation Plan**

Approximately 17 acres, 11% of the mined area, remains to be reclaimed. Until the post-reclamation land use approval is granted, the mined areas are being restored to original contours and seeded with grass/legume ground cover. At current rates of soil placement, reclamation is expected to be completed well before 2020. See **Appendix H** for more detailed description of the Interim Reclamation Plan.

## **Post Reclamation Land Use**

### **A. Post Reclamation Use Area**

The capped area, Bonneville easement, and the wetlands complex take-up 112 acres (30%) of the Demonstration Site. The balance of the site (265 acres) will be available for post reclamation use.

### **B. Post Reclamation Use Alternatives**

Seventy-five percent (70%) of the Demonstration Site is not restricted with easements and critical areas. This area, 265 acres in size, is the portion of the Demonstration Site for which long term uses need to be determined. Reserve has considered the three alternatives described below.

#### **1. Rural LID Community Alternative**

This alternative is Reserve's proposed action for which it seeks approval. It includes 72 home sites on 54 acres sited in two areas of the Demonstration Site. An additional 17 acres would be devoted to open space to separate the nine eight home clusters within these two areas. The balance of the area available for post reclamation uses would be a 211 acres managed long-term commercial forest. Thirty-four, almost one-half of the home sites would be established through the transfer of TDRs. The balance of the home sites (38) would be gained through the reclassification of the property to AR-10.

Three additional home sites would be retained for the TDR Sending Site. Fifty-three (53) acres of the site would be protected as wetlands and 73 acres would be devoted to a managed long-term commercial forestry.

Total acreage of the Demonstration and TDR Sending Sites is 518 acres. Thirteen percent (13%) is proposed for rural residential development. Average density is slightly under 7 units per acre. A Development Agreement (**Appendix B**); covenants, conditions and restrictions (CCRs) (**Appendix C**); and Conservation Easement (**Appendix D**) have been prepared to govern the implementation of the proposed action.

#### **2. Large Lot Alternative**

This alternative would result if the reclassification to AR-10 is approved but the TDR transfer is not allowed. The Demonstration Site would be divided into 10 acre lots and the TDR Sending Site would be divided into 5 acre lots. The Large Lot Alternative would include approximately 66 lots. There would be no area managed for long term commercial forestry or open space.

### **3. No Action Alternative**

This alternative illustrates what would happen if both the reclassification and the TDR transfer are not approved. There would be no investment post-reclamation in the Demonstration Site and the TDR Sending Site would be developed in 5 acre lots.

Further discussion of these three alternatives is included in the carbon sequestration discussion below and in **Appendix J**.

## **Carbon Sequestration**

A carbon sequestration analysis was completed for the three alternatives discussed above. The report, prepared by Geo Engineers, is included as **Appendix J**. The analysis shows that the Rural LID Community alternative offers more net carbon benefits than the Large Lot alternative.

## **Site Design Compatibility**

The 72 homeowners of home sites created under the Rural LID Community Alternative would ultimately be responsible for long term management of the 211 acre commercial forest established on the Demonstration Site through this alternative. The proposed CCRs (**Appendix C**) will require that each home design use low impact development techniques as outlined in King County Service Bulletin No. 55. Further, the CCRs establish guiding principles to ensure that all uses are compatible and protect rural character. Reserve expects the Rural LID Community Alternative will serve as a model prototype for sensitive rural living that minimizes environmental impacts.

## **Reclamation Standards**

There is no reclamation beyond the interim reclamation needed for the residential areas proposed under the Rural LID Community Alternative. However, extensive additional reclamation will be needed to establish the 211 acre long term commercial forest on the Demonstration Site. See the Environmental Hazard Analysis (**Appendix K**) and the Forest Management Plan (**Appendix I**).

## **Public Benefits**

In its decision to approve the Black Diamond property as a TDR Sending Site, King County summarizes the public benefits that will occur with the transfer of TDRs. The site is adjacent to the south boundary of Black Diamond and therefore is adjacent to King County's urban growth area. It is just east and across SR 169 from a new master planned community. It will serve as permanent green space adjacent to the County urban growth area and perhaps within it should the urban growth area expand in the future.

The Demonstration Site will serve to expand the buffer between Maple Valley and Black Diamond on the west and south and the forest resource lands to the east. It will also provide permanent protection to over 55 acres of wetland and wetland buffer. A 211 acre long term managed forest is also created.

**A. Model Rural LID Community**

The Demonstration Project includes a small area (13% of the total Project) for a Rural LID community. The community will include 72 home sites that meet all of King County's rural cluster standards. Homes will be required to conform to low impact development standards established in King County Service Bulletin No. 55. The Community Homeowners Association would be responsible for the long term protection of the open space, critical areas and managed forest.

**B. Managed Long Term Commercial Forestry**

The TDR Sending Site has been used historically for commercial forestry. However, the Demonstration Site has been devoted to mining and not forest management. As documented in the proposed Forest Management Plan (FMP) (**Appendix I**) the majority of the Demonstration Site lacks second growth stumps, indicating that tree growth was discouraged since the original removal of old growth timber. Of the proposed 211 acre managed forest about ½ has been devoted to extensive mining. In the non-mined area soils are average too good for timber production, but in mined areas aggressive management will be needed to establish the potential for commercial timber production. The Management Plan calls for two rotations of alder before Douglas Fir planting can begin. The Rural LID Community will, in essence, finance the creation of the commercial forest.

**C. Land Conservation**

Four Hundred and Forty- Nine acres (87% of the Project) is proposed to be preserved and protected by a Conservation Easement. The terms of the Easement are described in **Appendix D**.

**D. Environmental Benefits and Impacts**

A SEPA checklist has been prepared for the Demonstration Project (**Appendix E**). No significant adverse environmental impacts have been identified.

## Supporting Documents

Submittal documents for the Reserve Rural Mining Site Demonstration Project include:

- A. TDR Sending Site qualification approval.
- B. A **Development Agreement** which will serve as the contract for the implementation of the Demonstration Project.
- C. **Covenants, Conditions and Restrictions (CCR's)** which control use of the rural residential areas and the long term management of the balance of the Demonstration Site.
- D. A **Conservation Easement** restricting the use of the Demonstration Site. The standard King County Conservation Easement will control the TDR site.
- E. A **SEPA Environmental Checklist**.
- F. A **Traffic Impact Report** that addresses concurrency, safety, traffic impacts and likely mitigation.
- G. A **Wetland Delineation Update** for the 37 acre Category II wetland located on the Demonstration Site which serves as the headwaters for Sonia Lake and Ginder Lake.
- H. The approved **Interim Reclamation Plan** that establishes reclamation standards that are being used until Council action on the Rural Mining Site Demonstration Project.
- I. The **Forest Management Plan** for the creation of a 211 acre managed forest on the Demonstration Site. In addition, the TDR Site will be managed by a separate Forest Management Plan.
- J. A **Carbon Sequestration Analysis** that shows a net carbon benefit from the Rural Mining Site Conversion Demonstration Project compared to a traditional large lot development alternative.
- K. An **Environmental Hazards Analysis** that confirms that the rural residential home sites are located to avoid any residual mining hazards.
- L. Ravensdale History.

Table 1  
RESERVE RURAL DEMONSTRATION PROJECT

Composite Land Use

Land Use Category	Rural LID Alternative (acres)	Large Lot Alternative (acres)	No Action Alternative (acres)
Rural Residential	69/13%	384/74%	102/20%
Managed Forest	284	----	----
Managed Open Space	57	40	40
Critical Area	108	94	94
Unmanaged Total	---- 518	---- 518	282 518

Table 2  
RESERVE RURAL DEMONSTRATION PROJECT

Land Use by Property

Land Use Category	Rural Cluster Alternative (acres)	Large Lot Alternative (acres)	No Action Alternative (acres)
<b>Reserve Property</b>			
Rural Residential	54	282	----
Managed Forest	211	----	----
Managed Open Space	57	40	40
Critical Area	55	55	55
Unmanaged	----	----	282
Subtotal	377	377	377
<b>Black Diamond Property</b>			
Rural Residential	15	102	102
Managed Forest	73	----	----
Critical Areas	53	39	39
Subtotal	141	141	141



April 8, 2016

Rod Dembowski, Chair  
Transportation, Economy and Environment Committee  
516 Third Ave, Room 1200  
Seattle, WA 98104

Re: Request for King County to remove East Cougar Mountain from Issaquah's Potential Annexation Area (PAA) by moving the Urban Growth Boundary to Issaquah's City Limits

The purpose of this letter is to notify you that we would like the entire East Cougar Mountain area removed from Issaquah's PAA, not just the vacant parcels proposed to be moved in the Executive Proposed Comprehensive Plan.

**Actions Taken Since Release of Executive Proposed Comprehensive Plan:**

Representatives from City of Bellevue, King County and Issaquah met on March 15, 2016 to review the Executive Proposed Comprehensive Plan proposal to change only the vacant parcels of East Cougar Mountain to "rural" while leaving the developed parcels within Issaquah's PAA.

**Meeting Conclusions:**

- Bellevue staff confirmed their 2007 City Council decision that Bellevue has no desire or intention to ever service this area.
- Issaquah staff confirmed our 2015 Mayor and Council direction that the entire area needs to be removed from Issaquah's PAA during this KC Comprehensive Plan cycle for the reasons stated in my letter to the King County Executive dated December 8, 2015.
- Issaquah and King County staff that attended the public meeting January 27, 2016 regarding Issaquah's request to remove East Cougar Mountain from Issaquah's PAA confirmed that of the standing-room-only crowd and 19 people that provided testimony, only a few existing residents had questions or concerns about what the change would mean to them. Any concerns expressed about the change to "Rural" came from speculative developers hoping to cash in on "Urban" density and services.
- The roadway south of Cougar Mountain Zoo, including two hair pin turns, that provides one of the two roadway access points to this neighborhood could be closed by either King County or Issaquah, as this decision is an infrastructure decision and not solely based on which jurisdiction has authority. This means that Issaquah or King County could close this roadway today, based on long term maintenance concerns.

As mentioned in my December 8, 2015 letter to the King County Executive, our request is consistent with the King County Countywide Policy DP-18 as it meets all the criteria:

**DP-18 Allow redesignation of Urban land currently within the Urban Growth Area to Rural land outside of the Urban Growth Area if the land is not needed to accommodate projected urban growth, is not served by public sewers, is contiguous with the Rural Area, and:**

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

I strongly encourage you to remove the entire area of East Cougar Mountain from Issaquah's PAA during the 2016 King County Comprehensive Plan amendments to provide certainty and specific expectations to those residents and potential developers in this area. I am looking forward to working with you on this important issue.

Sincerely,



Fred Butler  
Mayor

Attachment:

Original Request from Mayor Butler to King County Executive Constantine 12/8/15

CC: Issaquah City Council  
Diane Carlson, King County Director of Regional Initiatives  
Ivan Miller, King County Comprehensive Planning Manager  
Nicholas Matz, City of Bellevue Senior Planner  
Transportation, Economy and Environment Committee Members



December 8, 2015

The Honorable Dow Constantine  
King County Executive  
King County Chinook Building  
401 5<sup>th</sup> Ave, Suite 800  
Seattle, WA 98104

Re: Request for King County to remove East Cougar Mountain from Issaquah's Potential Annexation Area (PAA) by moving the Urban Growth Boundary to Issaquah's City Limits

The purpose of this letter is to notify you that we would like East Cougar Mountain removed from Issaquah's PAA for several reasons: the area is not suitable for urban growth due to environmental constraints and difficulty in the provision of urban services; and the area is no longer necessary to accommodate Issaquah's urban growth targets; it is not characterized by urban development or served by public sewers. For these reasons, our community has no intention of annexing this area.

East Cougar Mountain is approximately 776 acres and includes approximately 83 acres of King County owned land adjacent to the Cougar Mountain Wildland Park outside of the Urban Growth Area.

After 20 years of growth under Issaquah's GMA Comprehensive Plan, including three sets of State/County housing and job targets and an Urban Center and Regional Growth Center designation, Issaquah has determined that the East Cougar Mountain PAA is no longer necessary for Issaquah's urban growth.

In 2007 several PAA property owners requested that City of Bellevue take over the PAA (and service provision) as part of Bellevue's Comprehensive Plan Amendments. Issaquah did not object to this proposal, as Issaquah was not prepared to annex or serve this PAA for many years. After review, Bellevue City Council did not pursue this.

This request is consistent with the King County Countywide Policy DP-18 as it meets all the criteria:

**DP-18** Allow redesignation of Urban land currently within the Urban Growth Area to Rural land outside of the Urban Growth Area if the land is not needed to accommodate projected urban growth, is not served by public sewers, is contiguous with the Rural Area, and:

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

I have attached background information for your review. I am looking forward to working with you on this important issue.

Sincerely,



Fred Butler  
Mayor

Attachment

Cc Ivan Miller, King County Comprehensive Planning Manager  
Issaquah City Council

**Submitted Request**

Remove East Cougar Mountain from Issaquah's Potential Annexation Area by moving the Urban Growth Boundary to Issaquah's existing City Limits boundary and making these 776 acres "rural"

**Submitted Background Information:**

Chronology: (Exhibit 1: Full Chronology)

This area has been a part of Issaquah and Bellevue's Sphere of Influence for utility areas since 1979. In 1994, King County adopted the initial Urban Growth Area boundary and Issaquah's Potential Annexation Areas (PAAs) were established, including East Cougar Mountain PAA.

In 2007 several PAA property owners requested that City of Bellevue take over the PAA (and service provision) as part of Bellevue's Comprehensive Plan Amendments. Issaquah did not object to this proposal, as Issaquah was not prepared to annex or serve this PAA for many years. After review, Bellevue City Council did not pursue this.

After 20 years of growth under Issaquah's GMA Comprehensive Plan, including three sets of State/County housing and job targets and an Urban Center and Regional Growth Center designation, Issaquah has determined that the East Cougar Mountain PAA is no longer necessary for Issaquah's urban growth.

The PAA is currently divided by 8 parcels owned by King County Parks that are adjacent to the Cougar Mountain Wildland Park (approximately 83 acres, see Exhibit 2).

Meets criteria in King County Countywide Planning Policies DP-18:

**DP-18 Allow redesignation of Urban land currently within the Urban Growth Area to Rural land outside of the Urban Growth Area if the land is not needed to accommodate projected urban growth, is not served by public sewers, is contiguous with the Rural Area, and:**

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

**Map of Docket Area**

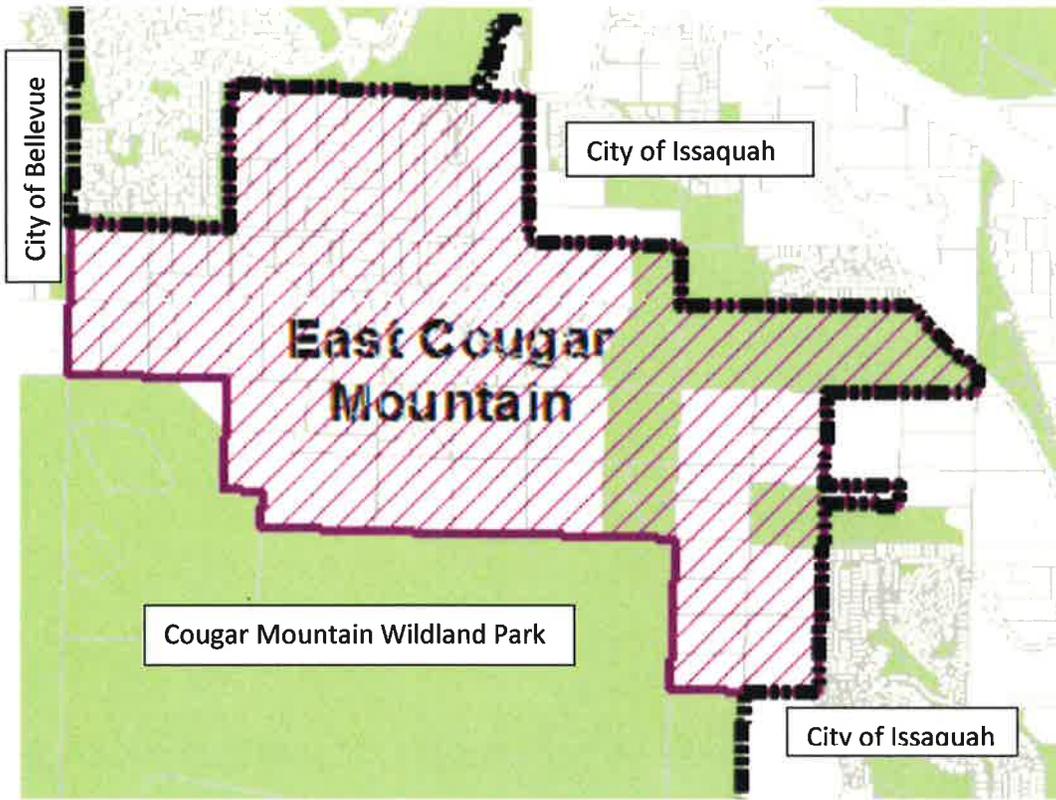


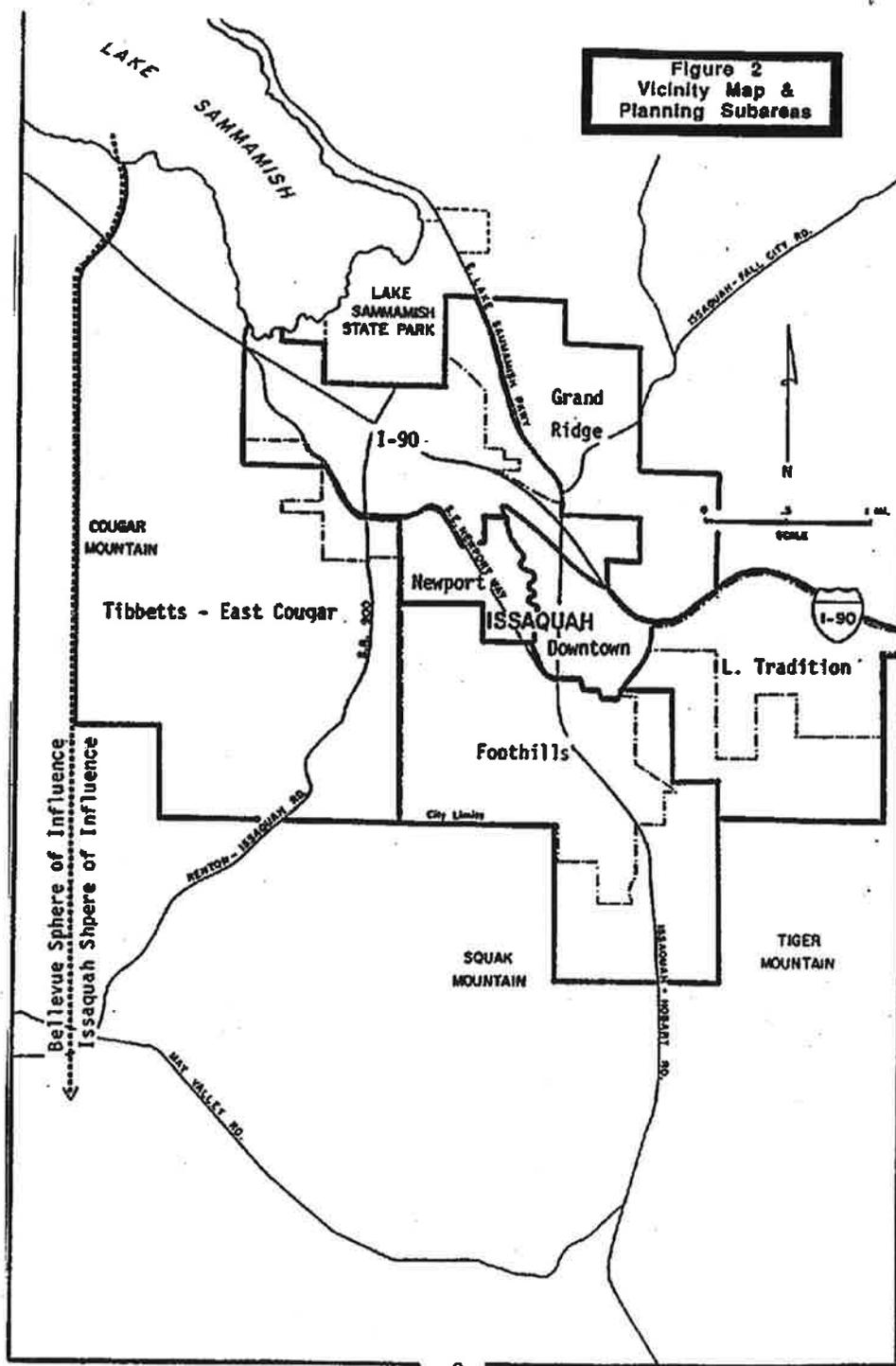
Exhibit 1: East Cougar Mountain Potential Annexation Area – Chronology of Events

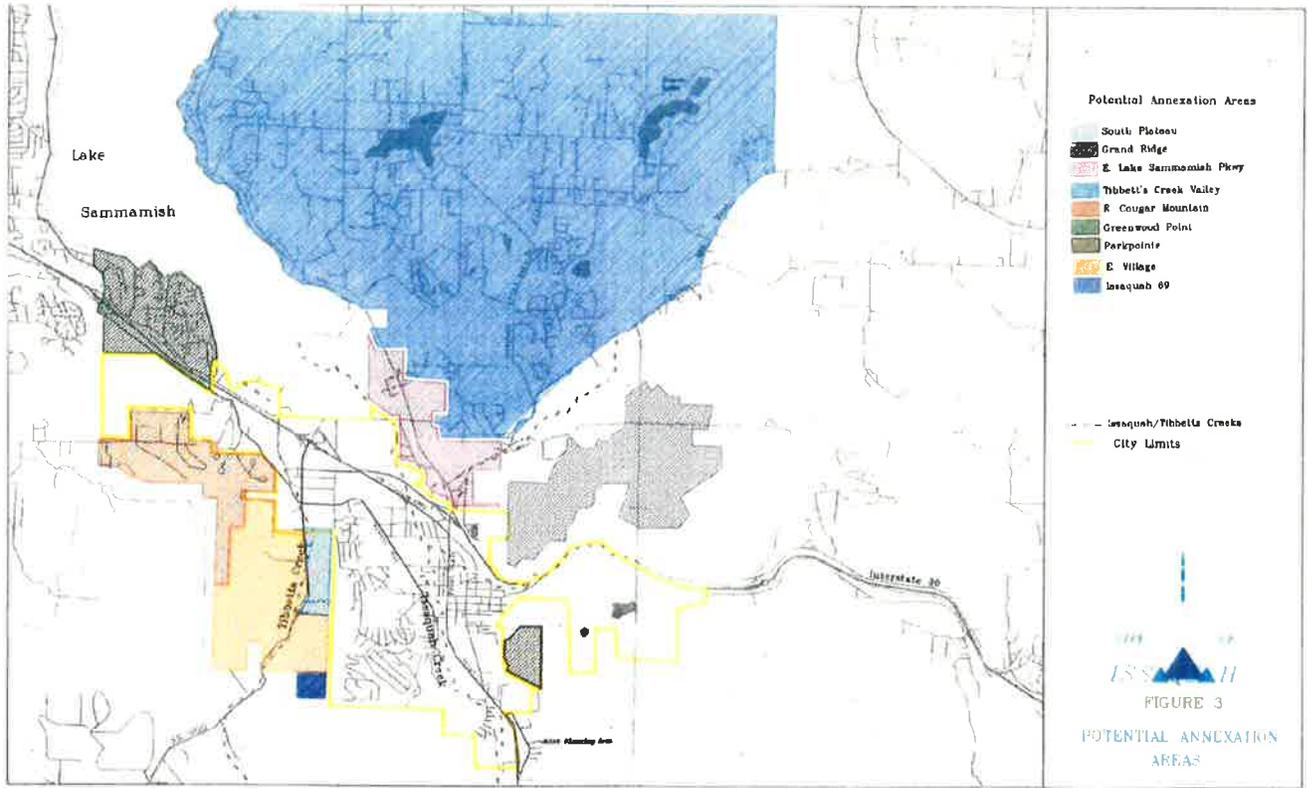
Date	Event
1979	Issaquah entered into a 'Sphere of Influence' agreement with Bellevue and Renton which identified utility areas for each agency. Initially the South Cove and Greenwood Point areas were served by the Eastgate Sewer District until City of Bellevue assumed the District. Within the Sphere of Influence agreement, the South Cove/Greenwood Point areas were agreed to be within Issaquah's area of responsibility (See Attachment A)
1983	King County Newcastle Community Plan, (encompassing a larger area than East Cougar Mountain Potential Annexation Area - PAA) includes a thrust to potential development of Cougar Mountain, including a potential master plan development of up to three villages, including "East Village" which was within what is now the majority of the Cougar Mountain Wildland Regional Park on the upper bench.
1984 - 1989	Issaquah decides to split the Tibbetts and Newport planning areas and worked on the Newport Plan (within city limits) and draft EIS from June to October 1984. Tibbetts East Cougar (outside city limits) planning began in October, 1984, included an EIS and was finally completed in December 1989 as City Council adopts Tibbetts East Cougar Subarea Plan
1990	Washington State Growth Management Act (GMA) adopted
1994	King County adopted initial Urban Growth Area boundary and Issaquah's Potential Annexation Areas (PAAs) are established
1995	Issaquah adopts Comprehensive Plan, compliant with GMA and King County, and includes East Cougar Mountain as a PAA, as well as the East Village and Tibbetts Creek Valley area (See Attachment B)
1996	Annexation of East Village and Tibbetts Creek Valley PAA
1999	Adoption of East Village Development Agreement (now known as Talus)
2001	Request by some property owners in East Cougar Mountain PAA for extension of sewer due to KC Health Department notice of failed septic systems
2002	Request for annexation from Julia Gunn Kissel for her vacant lot (40 acres?) adjacent to Newport Way
2004	First Request by Delman and Dolores Luse to annex 8.2 acres, for three existing homes adjacent to City limits
2005	Request by Kevin Murray/George and Judy Black requesting annexation of Black's property in East Cougar Mountain PAA Request by Peter Frame to extend sewer and water through pre-annexation agreement to 10 acres in East Cougar Mountain PAA
2005	<i>Excerpt of Mayor's letter to Kevin Murray: "City Council reviewed a request to begin annexation proceedings for a 40 acre parcel in the East Cougar Mountain PAA, in 2000 other parcels in this area, south of the Montreux subdivision, approached the City for annexation. In both cases the council asked that a subarea plan be done before annexation due to the environmental sensitivity of the area and the need to comprehensive plan for vehicle and utility access for the entire area, not piecemeal through parcel by parcel annexation."</i>
2006	Request by Barbee Tucker-Pigott for annexation of 10 acres adjacent to the Bergsma property within East Cougar Mountain PAA
2007	Second Request by Delman and Dolores Luse to annex 8.2 acres, for three existing homes adjacent to City limits  Request by several property owners in East Cougar Mountain PAA to request that Bellevue take over the PAA (and service provision) as part of Bellevue's Comprehensive Plan amendments. Issaquah did not object to this proposal. After review, Bellevue City Council did not pursue this.

2014	March: request by Talus Management Service for City to consider the annexation of approximately 49.24 acres in East Cougar Mountain PAA to be part of the Talus Urban Village as part of the 2014 Comprehensive Plan amendments. December: Request withdrawn by Talus Management Services
2014	July 11, 2014: Central Issaquah Urban Core designated <b>Urban Center</b> on Urban Growth Area map within the 2012 King County Countywide Planning Policies
2015	June 15, 2015: City of Issaquah amends Comprehensive Plan for GMA required Periodic Review, amending policies regarding East Cougar Mountain PAA (See Attachment C). June 25, 2015: Central Issaquah Urban Core designated <b>Regional Growth Center</b> by Puget Sound Regional Council.

Exhibit 1 Attachments:

- A: Sphere of Influence Map (1979)
- B: Issaquah's original Potential Annexation Map (1995)
- C: Issaquah's Comprehensive Plan Policies regarding East Cougar Mountain PAA (2015)





## Land Use Element

### regional coordination and annexation policies

#### **LU Goal M. Work with local and regional agencies and all affected parties during the annexation process.**

##### discussion

Since Issaquah's Comprehensive Plan in response to GMA was adopted in 1995, the majority of Potential Annexation Areas have been brought into the City. Many of these areas have helped the City to accommodate State job and housing targets, including Issaquah Highlands and Talus. Other PAAs, like Lake Sammamish State Park, were brought into the City for other community needs such as recreation and open space. The remaining two PAAs offer different opportunities to the Issaquah community. **East Cougar Mountain PAA includes low density housing adjacent to Montreux and vacant land adjacent to Talus.** The King County Island includes the King County Public Works Shop site and vacant land. Both PAAs include slopes and critical areas that will need to be identified and analyzed as part of an annexation proposal.

**LU Policy M1** Respond to community initiatives for annexation.

**LU Policy M2** Inform property owners in annexation areas and the City of the potential benefits, obligations and requirements which may be imposed prior to and as a result of annexation.

**LU Policy M3** Work with annexation proponents to develop annexation boundaries which follow logical community and geographic boundaries.

**LU Policy M4** Coordinate with adjacent jurisdictions, property owners within an annexation area and special purpose districts to ensure the efficient provision of urban services during the annexation transition period.

**LU Policy M5** Proactively coordinate with regional jurisdictions and agencies to ensure that regional funding priorities do not overlook the needs of Issaquah.

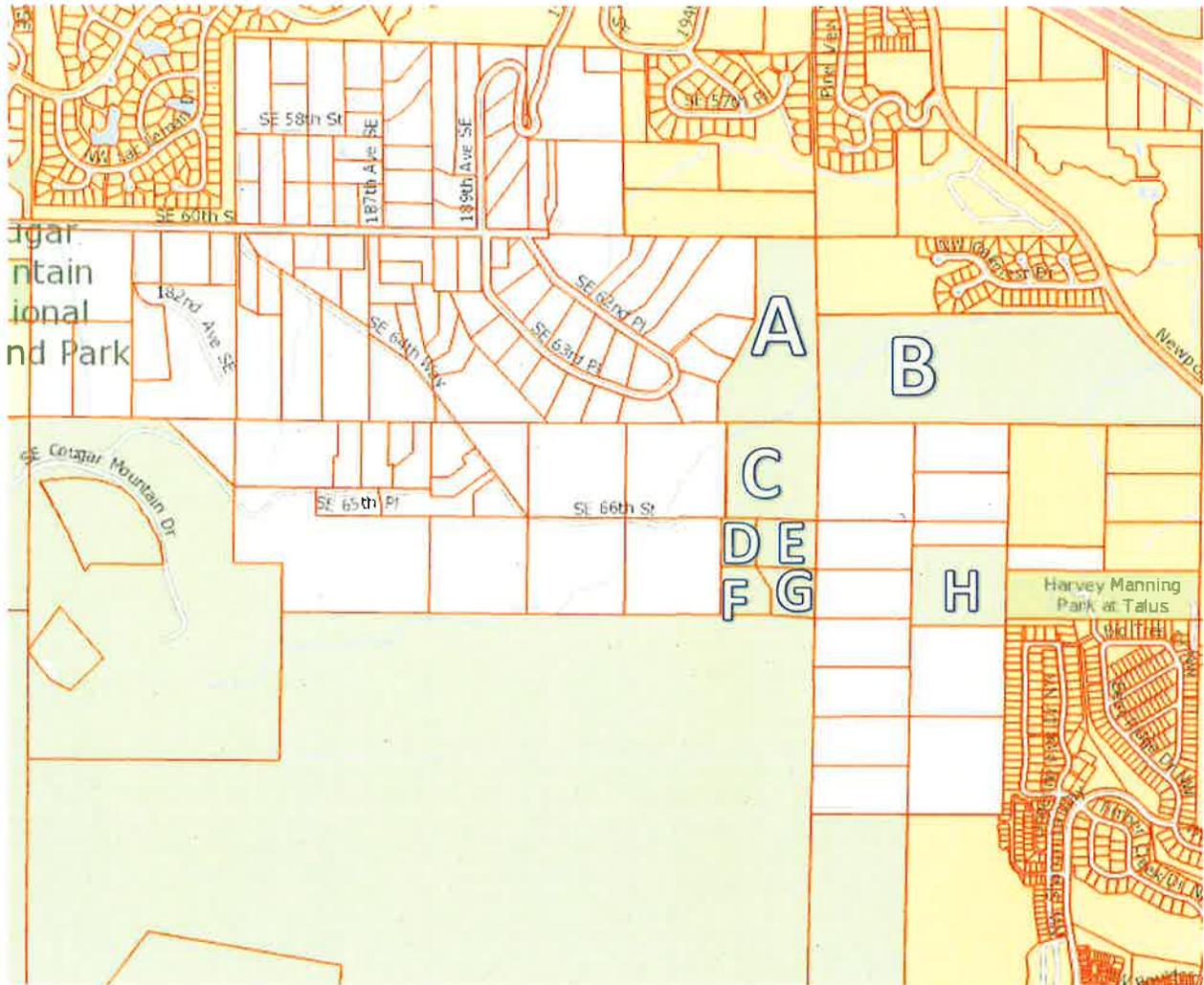
**LU Policy M6** **Work with King County to analyze the benefits and disadvantages of moving the Urban Growth Boundary to remove the East Cougar Mountain PAA.**

#### **LU Goal N. Annex the City's Potential Annexation Areas to ensure compatibility with City development regulations and to provide for public services, public facilities and concurrent transportation facilities at the City's level of service. Recognize that some PAAs provide other community expansion solutions other than development potential.**

**LU Policy NI** Establish an interlocal agreement with King County regarding the development of land within the City's Potential Annexation Areas which defines the potential land use, zoning, growth phasing, urban services, design standards, impact mitigation requirements, and conformance with the Countywide Planning Policies. For those PAAs which are largely undeveloped, annexation to the City should be encouraged prior to development review and permitting within the County. However, if the development commences prior to annexation to the City, the interlocal shall

- require that the development review and permit approval for subsequent projects within these undeveloped areas be done by the City.
- LU Policy N2** Annex PAAs prior to or concurrently with development review and permitting in order to receive the full range of City services and ensure compatibility with City standards and development regulations. The timing of development shall be determined by existing City policies including Level of Service and development standards.
- LU Policy N3** Provide urban services prior to occupancy of new development at the City's level of service (LOS) when the annexation process and development review process are occurring concurrently. Additionally, define a schedule and financing plan to correct existing service deficiencies through the annexation process. Transportation deficiencies should be addressed within six years from the time of annexation.
- LU Policy N4** Require annexation before extending City utilities, except extensions made outside the City in response to a health emergency or threat to the City aquifer or other City resources.
- LU Policy N5** Ensure the ability of the annexation area to pay its determined fair share of required services.
- LU Policy N6** Ensure annexation of a PAA would not have a negative financial impact on the City.
- LU Policy N7** Ensure the annexation area is able to help meet necessary residential or commercial/industrial expansion needs of the City and/or, in some cases, provide solutions to other community concerns such as aquifer protection, open space provision or the efficient provision of public services. Annexation should also provide for parks and other community amenities and allow for a variety of housing to meet the community's needs. *For example, consider the annexation of the East Cougar Mountain PAA area adjacent to Talus as a low density/open space separator between Issaquah and the rural land outside the Urban Growth Boundary.*
- LU Policy N8** Control impacts of development on the following when annexing.
- land use, including density, design, signage, landscaping and open space provisions;
  - surface and groundwater (wellhead protection and aquifer recharge area and flooding);
  - critical areas and natural resources;
  - parks and recreation;
  - utilities;
  - transportation;
  - housing;
  - schools;
  - economic vitality; and
  - Issaquah's Treasures.
- LU Policy N9** Consider mutual benefit the annexation area is able to City residents and the annexation area to: enhance the provision of the items listed in the above criteria; to lessen impacts to all of the items listed in above criteria {N8}; manage impacts; and provide local representation.

- LU Policy N10 Extend urban services to the annexation area while maintaining the existing LOS for city residents.
- LU Policy N11 Discourage the provision of interim infrastructure or services in designated urban areas in the City's PAAs such as community drain fields and water systems or individual wells and septic systems.



Map #	Owner	Parcel #	Acres
A	King County Parks	<b>1924069020</b>	14.90
B	King County Parks	<b>2024069014</b>	40.95
C	King County Parks	<b>3024069043</b>	9.47
D	King County Parks	<b>3024069038</b>	1.72
E	King County Parks	<b>3024069037</b>	3.24
F	King County Parks	<b>3024069024</b>	2.30
G	King County Parks	<b>3024069036</b>	2.67
H	King County Parks	<b>2924069097</b>	8.26
		<b>Total acres</b>	<b>83.51</b>

Source: King County iMap, 2015