

New Comments on the Comprehensive Plan from the Council Web Site

Updated September 16, 2016

Name	Dist	COMMENT
Todd	Reedy	9 I feel very strongly that it would be inappropriate to rezone parcel #3423059034 from it's current R-6 to a proposed R-18 due to the inadequacy of the intersection of SE 180th St and 140th Ave SE to provide for the safe ingress and egress of the additional residents. When exiting SE 180th St and turning left onto 140th Ave SE there is insufficient sight distance to the north. I would like the County to tell me what the entering sight distance is for this intersection and how it meets road standards. There is insufficient intersection spacing both to the intersection to the north of SE 180th St and to the south of SE 180th St on 140th Ave SE. 140th Ave SE is classified as a principal arterial requiring spacing between adjacent intersecting streets of 1000 feet. The distance to the intersecting street to the north (SE 177th St) is 475 feet and the distance to the intersecting street to the south (SE 179th PI) is 340 feet. In addition to the inadequacy of the road system to handle the additional residents, all of the land immediately adjacent to Parcel #3423059034 is zoned R-6. Rezoning to R-18 would be creating an island of R-18 surrounded by R-6 zoned land. This certainly appears to be an attempt to benefit a single property owner while negatively impacting the quality of life for other area property owners. We were first notified by King County about the proposal to rezone this parcel and the desire of the property owner to build a 68 unit apartment building on it on September 12th. I am unable to attend the meeting on September 20th to voice my opposition to this proposal and do not think area residents were given sufficient time to weigh in on the proposal.
Robert	Lowenstein	9 I am writing my comment about the 2016 Comprehensive plan including Fairwood A Purposals and rezoning deliberation. First let me say I would like to see the properties being considered for rezoning from R6 to R18 to stay as they are now as this is a nice area to be able to walk your dog. However I am realistic and know building is going to take place sooner than later. I would be in favor of the County Executive recommendation of rezoning the northern-most parcel of Wesley Homes property (3423059035) from R-6 to R18 and leaving the remaining 3 parcels (3423059031) (3423059061) and (3423059034) of the Wesley Homes and Wayne's Place sites R-6. My opinion is based on traffic considerations as well as police and fire safety. Thank you for your consideration. Robert Lowenstein lowensro@hotmail.com
Kristin	Hoag	9 Please note that I am MOST opposed to the proposal from Gerald Schneider to build an apartment complex at the corner of 140th Ave SE and SE 180th St parcel 3423059034. Main reasons are: * too much congestion already and a 68 unit apartment building would bring at LEAST 68 - 136 more cars daily into our already very congested roads * we do not have enough grocery stores (currently down to just 1 - Safeway; where we used to have 3- including QFC and Albertsons) * not enough gas stations (only have the 1 Arco) I strongly oppose this 68 unit apartment building going in and want to see the zoning kept to R-6.

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Marcia	Whitcomb	<p>We have so much traffic in this area especially with Carriage Crest School nearby. My husband, James Whitcomb, and I feel the Senior Community would be an asset but not more apartments. There are already huge apartment complex's on the East & West side of Petrovitsky & 140th Ave. A very good addition would be condo's and/or single family homes that would help the renter's become homeowners. Please, consider our opinion in this matter. Marcia & James Whitcomb</p>
David	Henrich	<p>Hello, I received a letter in the mail regarding 1. a proposal from Wesley Homes to build a Continuing Care Retirement Community 2. a proposal from Gerald Schneider to build a multifamily apartment complex at the corner of 140th Ave SE and SE 180th ST, which is close to my house in Fairwood Firs. I am STRONGLY AGAINST both of these, and even more so against the apartment complex. Both of these will significantly increase the amount of traffic and visitors in the area due to habitants, visitors and working staff. Regarding the apartment complex. there are already too many apartment complexes in the immediate neighborhood. Being a homeowner, I DO NOT want to see another one added. We have already had issues with occupants from the existing apartment complexes using our private parks, vandalism and crime. The addition of an other apartment complex, puts MY community at risk for EVEN MORE crime, traffic and overpopulation of the schools my children will go to. This will add ZERO value to MY community and if anything could devalue the value of my property. The only one that has anything to gain is the developer. Everyone I have spoke to is STRONGLY against this happening. Please represent us properly and DO NOT let this change take place. Thank you for your time! -David</p>

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Name	Dist	COMMENT
Steve	Schuh	<p>In reference to potential rezone of Wesley Homes parcels 3423059031, 3423059061, 3423059035 and Gerald Schneider parcel 3423059034: I am opposed to changing the current zoning from R-6 on any of the parcels. the current roads will not handle the increased traffic. Too many 1-2 acre lots in this area are being plowed under with high density housing going in. It is apparent that once the zoning is changed any current plans for the properties can also change, ref the Schneider parcel. It is very likely that once the zoning changes on these parcels, any surrounding parcels would eventually also be rezoned, and high density housing would be built up (apartments or mushroom houses) I live in the Forest Estates Sub Division, which is served by 134th Ave SE, off of SE192nd St. It is currently blocked at the North end of our neighborhood, with access for emergency vehicles only. My concern is that the county will open 134th to thru traffic due to development on the northern parcels. The increased traffic would be unacceptable; it would become a short cut for traffic wishing to access 192nd. What is now a quiet residential street would become a thoroughfare We have a grade school near by, and many children use 134th, and cross it daily. There is already a new sub division going in to East of our neighborhood that will be connecting to our roads. The County seem fine with allowing adverse impact to our long existing neighborhood. I am not. Thank You, Steve Schuh</p>
Amber	Henrich	<p>I want to first say thank you to Reagan Dunn for sending out the informative letters to notify us of the two proposals that will direct affect me regarding Fairwood A proposal. I also appreciate the opportunity to give my input on the matter. I was born and raised in Fairwood and now live here raising my own children. I appreciate the unique community that we have here and feel protective over keeping it a great family area. This is why I feel strongly opposed to the two proposed actions, specifically the apartment complex. I've already witnessed a lot of criminal activity and suspicious activity around the apartments we currently have in Fairwood. I believe that its certain people from those apartments that has caused property damage to my neighborhood as well. Apartment complexes traditionally increase crime activity, decrease home values, and negatively impact education/schools in their area. As a parent and home ownder, I want to protect my children from both of these things. I also worry about the amount of traffic it will bring to the area as well. I worry about how the community can support it and to the safety of my family with increased traffic load. As an unincorporated area, I worry we have the resources in terms of police and first responders to support the added traffic and population. Honestly, I feel that adding apartment complex would change the whole feel of this amazing community and I am deeply saddened that this could happen. I see more value in adding more homes or other business that would help bring economic growth to the area such as shopping and restaurants. Thank you again for consider the input of the community. Amber Henrich</p>

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Name	Dist	COMMENT
Sue	Holbink	<p>3</p> <p>I am commenting on 21A.38.260 Special District Overlay – Fall City business district. There is language (on page 5 of that section) that says: ‘However, a Special District Overlay (SDO) was created to allow all property within the commercial district to be zoned for commercial development but not allow chain stores or other incompatible uses. I don’t believe that the term “chain stores” is specifically addressed pursuant to a response I received from Christine Jensen, Principal Legislative Analyst / King County Council that said: “The Special District Overlay (SDO) for the Fall City Business District does not specifically address the term “chain stores.” The exact text of the SDO is included below, none of which addresses this term or the intent of the term. In fact, the King County zoning code as a whole (not just specific to the uses allowed in Fall City) does not address this term at all. So, I am not sure what exactly prompted the staff that wrote that study to make that statement about “chain stores” ... I believe the SDO is more about guiding the uses to those that are compatible with the size and scale of the local community – and maybe that was the intent of what that staff was trying to get at when saying chain store. So, long answer short, “chain stores” (a series of stores owned by one company and selling the same merchandise in different locations) are allowed. I hope that helps to clarify. ” I would appreciate that you take into consideration the following: What constitutes a chain store (national chains like Starbucks and McDonalds, regional chains like Bartells, or more local chains like Mercury Coffee) and does the term need to be defined? Also, are there square footage limitations, parking requirements, or design guidelines specified to insure that any permit requests take into account the rural character of the existing Fall City Business District? What exists in the zoning code to enforce these definitions? From my experience, the only way Department of Permitting and Environmental Review can restrict any type of proposed development is if there are legally defined and enforceable rules. Thank you, Sue Holbink, Fall City Resident</p>

Parcel 1457500005

12811 164th Ave SE, Renton, WA 98059

REQUEST OF THE COUNCIL

LAND USE & ZONING

- Legislatively rezone the entire parcel to R1 (aligned to Renton's 2006 pre-zoning)
- Adjust the shape of the RB portion of the property to only include the grandfathered in mobile office and parking lot.

BEHAVIOR

- Councilmembers Lambert and Dunn, who advocated for the owners and sponsored the 2012 legislative rezone that was specifically intended to benefit one party, contact the property owners to make sure they know the council does not support the behaviors.
- The county contact WA DOL requesting the business license for the used car dealership be suspended pending 1) compliance with the settlement, current rezone requirements, and codes, and 2) demonstrated behavior that such compliance will continue when the license is re-activated.

DPER

- Formally request that DPER and the lawyer involved provide justification for the enforcement and settlement actions.
- Engage the Ombudsman deputy who's been involved for the last few months.

ENFORCEMENT

- Why has DPER, been unable or unwilling to enforce the code and rezone requirements? Is it lack of enforcement capabilities (e.g. Mt Anderson), systemic practices, etc.?
- Councilmembers Dunn and Lambert contact DPER requesting they enforce the conditions and codes for this parcel.

SETTLEMENT

- Why did DPER settle the code violation? The property owners had little or no leverage, and, given their history, had plenty of time to comply with requirements.
- Why did DPER allow the owners to use the 10-foot strip of land on the north side of the property? It extends the used car dealership footprint beyond the grandfathered prior use, onto pervious surface into the sensitive area.
- Why did DPER add any reference to the owners' desire to build a garage outside the grandfathered prior use?

CODE

- Advocate that the changes in code, motivated by Mt Anderson (i.e. longer-term and/or recurring actions), will also apply to the scale of this situation.

POTENTIAL ANNEXATION AREAS

- The county continues to take the position of merely informing PAA cities of actions (e.g. rezone) within a city's PAA. It's highly probable this is a legal issue regarding jurisdictional authority.
- The only joint planning the county authorizes is an annexation ILA.

Renton made multiple requests that the county NOT rezone the property for regional business, a request ignored by the Council. Although not directly related to the specific issues with the property, it begs the question regarding the county's commitment to work with cities regarding PAAs even without an annexation planning ILA.

The current comp plan package includes a letter from Renton expressing frustration with the county's lack of response to their multiple requests for a planning ILA for the PAAs.

- Modify policy to state the county "shall" align any land use actions in a PAA to a city's pre-zoning.
- Create a planning ILA for Renton's

PAAs that addresses the list of issues residents have described to both the county and the city, including land use, community planning, and density bonuses.

COMMUNITY PLANNING PRIORITIES

Proposed KCCP changes include community planning. Areas like Vashon are highest priority and areas like that which includes the Renton PAA (the property location) are lowest priority. The Council has an emphasis on PAAs in the current update.

- Adjust the priority for communitiy plannig to emphasize PAA areas
- Modify the approach to allow for a planning ILA that does not necessarily include an annexation commitment.

Background

PARCEL

- Parcel 1457500005, on the plateau east of Renton, is mostly inside the boundary of a Category I wetland and habitat. The remaining portion is well within the sensitive area buffers.
- The wetland includes Cemetery Pond, a regional storm water retention/detention facility.
- The wetland and habitat, part of a stewardship program involving local residents and KC DNRP, was the focus of a water and wildlife restoration project that removed over 19 tons of illegal dumping and noxious plants, and planted over 775 native plants.

LAND USE & ZONING

- In 2012, a legislative rezone was approved for the northern 175-feet of the parcel, realizing a potential Regional Business (RB) zoning. The RB allowed the property owners to start a used car business.
- Two prior administrative rezone attempts by failed because RB was ruled to be inappropriate for the parcel. The Council confirmed the 2008 ruling by ordinance.
- The parcel is on the plateau east of Renton in one of the city's PAAs. Renton pre-zoned the parcel R-1 in 2006.
- Renton formally requested King County deny the RB rezone because of incompatibility with their plans for the PAA.

OWNERS

- There have been at least 12 enforcement actions including a code violation Oct 2015.
- They've been compliant for less than a third of time they've owned the parcel, and have been continuously out of compliance since one month after the 2012 legislative rezone.
- As recently as last week, the owners have taken three new actions out of compliance with the conditions and codes: repaved in a sensitive area, have a boat for sale in violation of the rezone conditions, and washed vehicles without runoff control, also a violation of rezone conditions.
- To put a cherry on top of all this, the owners, who are immigrants, are accusing the residents, who are stewarding the area, of being racially prejudiced.

From: [Chris McNeece](#)
To: [CouncilCompPlan](#)
Subject: Fairwood A Rezoning Proposal
Date: Thursday, September 15, 2016 7:53:14 AM

Dear Council Members,

I would like to voice my concern over the upcoming "Fairwood A" proposal. I understand you will be voting next week to determine whether or not to allow for rezoning to higher density levels per acre. I have no problem with the retirement center or condominium proposals, but I understand there is also an apartment complex proposed, of which I would certainly not be in favor. I also understand that the property owners of these (4) parcels would be able to modify their proposals after rezoning is approved. I am certain you are aware of all the many reasons why persons living in Fairwood (I own a home in the Fairwood Crest neighborhood) would be opposed to a new, large apartment complex (much less several complexes) going up in the immediate vicinity, so I will not delve into these here.

I just wanted to take a moment to let you know that this Fairwood resident would *not* be in favor of R18 (or any higher density than the current R6) rezoning.

Thank you,
Christopher McNeece

Public Comments on S-1 Striking Amendment of KCC 20.18.030 to Extend Reserve Silica Demonstration Project; submitted by Friends of Rock Creek Valley, September 6, 2016

We commend TrEE Committee Chair Dembowski for his ethic of fairness, leading to the S1-Striking Amendment proposal to extend the I-203 mining site conversion demonstration project legislation. However, the Friends of Rock Creek Valley (FRCV) firmly believes that the proposed three year extension to these deliberations is excessive, and will only serve to unnecessarily delay further reclamation work needed on this site.

While we do not support any extension of the I-203 Policy, if, in the interest of fairness, the TrEE Committee is convinced that consideration of Reserve's proposed Demonstration Project should extend beyond 2016, we would request that a sunset date of December 31, 2017 be established for I-203, with the requirement that any proposals to be considered by the Council under this provision be submitted by December 31, 2016. Such an amendment would provide Reserve with more than three months to submit their formal proposal – which, by Reserve's own testimony, they are already fully prepared and ready to submit – and it would give the County a full year to review, debate and decide on this proposal. In this way, the final mining reclamation plan for the site could be developed just over a year from now and restoration work begun shortly thereafter; rather than leaving the site in an unproductive state of limbo for potentially another three-plus years.

Our reasons for opposing a lengthy extension are based on the already long history of this project:

- **August 24, 2016**, just two weeks ago – In their own testimony before this TrEE Committee, Reserve stated that they were ready to submit their Demonstration Project proposal anytime, and could even do so “today” (i.e., Aug 24).
- **May 1, 2016**, over four months ago – Reserve's full, detailed, 273-page Demonstration Project proposal was prepared.
 - **May 23, 2016** – Reserve Silica President Frank Melfi stated their proposal was complete and that they planned to submit it before the end of the year.
 - **May 27, 2016** – a printed copy of the May 1st proposal was hand-delivered to FRCV for review, at which time Reserve consultant J. Allen indicated submission to the County was imminent.
- **April 6, 2016**, five months ago – Reserve provided a 12-page summary of their proposal to the Committee of the Whole at the Council meeting in Ravensdale.
- **July 9, 2015**, 14 months ago – Reserve consultant J. Allen, while reviewing the proposal with the FRCV to show justification and gain support for their purchase and use of the Black Diamond Property as an alternative TDR sending site, confirmed the intent to submit the demonstration project shortly.
- **June 30, 2015**, over 14 months ago – Reserve President Frank Melfi stated they would be submitting their proposal to the County “within the next week or two.”
 - Note: July 5, 2015 – FRCV sent notice to Councilmembers Dunn and Phillips and the County Exec that Reserve President Frank Melfi had stated their intent to file plans for a 72-unit development of their property with the County in “the next week or two.”
- **December 1, 2012**, at Reserve's request, with the assistance of Reserve's consultant, J. Allen, Councilmember Phillips [and Hague?] drafted a “compromise” amendment to Policy I-203, which would allow Reserve to submit a “mining site conversion demonstration project” proposal for the site for County consideration during an annual Comp Plan cycle. The driving motivation behind this compromise amendment was to accommodate Reserve's plea that they should not have to wait another four years until the next major Comp Plan update to submit the proposal they were working on. This amendment was approved and adopted by the full Council on December 3, 2012. Now here we are, almost four years later, still waiting for a formal proposal – and potentially looking at an additional 3+ years before any decision is rendered on the future land use of this property.
- **February 14, 2012**, over 4 ½ years ago - Reserve submitted a proposal to upzone all 402 acres of their property to RA-10, and install a 40-unit housing development on the site as part of the 2012 Comp Plan update process.

- **March 9, 2011**, over 5 ½ years ago - having completed mining activity in 2007, Reserve submitted a proposal to upzone the 322 acres of their Mining-zoned property to RA-10, and install a 32-unit housing development on the site.

So Reserve's effort to upzone their property to a Rural Residential land use, and install a clustered housing development has already been going on for over 5 ½ years. Approving the S1 Striking Amendment as written could delay any decision on this property for another 3 ¼ years, thus dragging this decision out for almost nine years, and likely deferring the final reclamation work on the property another four years. Such delays seem counterproductive to the interests of the County, the community, and the environment.

Clearly, Reserve has been fully aware of the time constraints on submitting their proposal and has repeatedly stated their readiness to submit a proposal. Yet they have repeatedly failed to follow through. Now they are before the TrEE Committee, pleading for more time, but again unwilling to wait another four years for the next major Comp Plan update cycle when such a zoning change would normally be considered.

And one final clarification: The FRCV has never endorsed or stated support for any upzone/development proposal drafted by Reserve Silica despite statements implying otherwise made to the TrEE Committee on August 24, 2016 by Reserve's consultant, J. Allen. The FRCV did provisionally support the I-203 demonstration project amendment to the 2012 Comp Plan drafted by then Councilmember Larry Phillips, provided any proposal submitted under that policy met certain conditions. The proposals brought forward by Reserve to date do not meet any of those conditions. Furthermore, FRCV (and we fully suspect County Council as well), was not aware in 2012 of the extent and seriousness of the toxic contamination of the site. Had this information been available at the time, it is highly unlikely the I-203 Amendment would ever have been drafted or passed.

Michael Brathovde
Acting Chair, Friends of Rock Creek Valley

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

September 13, 2016

To: King County Council TrEE Committee

Re: 2016 KCCP Update--Proposed Striker Amendment

Chairman Dembowski,

We are pleased to submit to you and the TrEE Committee our detailed comments on the proposed Striker Amendment for the 2016 King County Comprehensive Plan (KCCP) Update released on September 1, 2016. This constitutes the GMVUAC's fourth major 4-year KCCP Update going back to 2004.

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

Following release of the Executive's recommended KCCP Update on March 1, 2016, our four subject-matter committees--Economic Development, Environment, Growth Management, and Transportation--conducted comprehensive reviews. Detailed comments generated by those reviews were discussed at GMVUAC meetings and an approved final set of comments was submitted to the TrEE Committee on July 12, 2016.

Following the release of the proposed Striker Amendment our committees again conducted comprehensive reviews. Detailed comments generated by those reviews were discussed at the full GMVUAC and an approved final set of comments is attached.

We plan to remain involved in the KCCP Update process through Council deliberations, Public hearings, and final approval in December. Should TrEE Committee members have any questions regarding our Comments, please contact our Coordinator for the KCCP Update, Peter Rimbos, at 425-432-1332 or primbos@comcast.net.

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

Sincerely,

Steve Hiester
hies_skel@hotmail.com

Chairman, Greater Maple Valley Unincorporated Area Council

Comments on Proposed TrEE Striker Amendment to 2016 KCCP Update Greater Maple Valley Unincorporated Area Council

Please note the following includes the GMVUAC's comments on the Proposed TrEE Striker Amendment to 2016 KCCP Update. The format consists of the following:

- *Policy or Text as recommended by the County Executive in his March 1, 2016, transmittal.*
- GMVUAC **COMMENTS**, **CONCERNS**, and/or **RECOMMENDATIONS** on the County Executive's March 1, 2016, recommendations (these were previously provided to the Council's TrEE Committee in our July 12, 2016, comment letter).
- **Council's TrEE Committee proposed Striker Amendment released September 1, 2016, which provides changes to the Executive's recommended plan.**
- **GMVUAC response to TrEE Committee proposed Striker Amendment changes.**

Chapters

CHAPTER 2—URBAN COMMUNITIES

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

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

TrEE Committee Proposed Striker Amendment: *Revert to 2012 language.*

We do not concur. The only way to truly maintain the character and integrity of the "Rural Area" is if urban- or largely urban-serving facilities are restricted to the Urban Growth Area.

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

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

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

TrEE Committee Proposed Striker Amendment: *No changes.*

We reiterate the County should revisit its policy of allowing, under the Four-to-One Program, annexation of Rural Area acreage into the UGA when it is not part of a recognized Potential Annexation Area (PAA).

Comments on Proposed TrEE Striker Amendment to 2016 KCCP Update Greater Maple Valley Unincorporated Area Council

CHAPTER 3—RURAL AREA AND NATURAL RESOURCE LANDS

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

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

TrEE Committee Proposed Striker Amendment: In list item "i." remove "urban facilities."

As explained in our RECOMMENDATION, and several other places herein, we strongly oppose the siting of urban facilities in the Rural Area.

Consequently, we urge the TrEE Committee to accept the Executive's proposed language in list item "i."

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

CONCERNS: We have two major concerns:

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

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

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

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

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

Comments on Proposed TrEE Striker Amendment to 2016 KCCP Update Greater Maple Valley Unincorporated Area Council

TrEE Committee Proposed Striker Amendment: No changes.

We request the TrEE Committee address our CONCERNS and adopt our RECOMMENDATION.

3. **COMMENT:** Following R-309 regarding the RA-2.5 zone, there needs to be more specifics related to the RA-5 zone, especially as related to private wells. **CONCERN:** The King County Board of Health Code's Title 13's references to the "1972" cutoff and "5-acre" minimums (13.04.070 Domestic water supply source., B. Private individual well source: "A private well on a lot five acres or greater in size or a lot created prior to May 18, 1972,...") are not consistent with the "1994 Comprehensive Plan" cited in R-309.

RECOMMENDATION: Add a new Policy as follows:

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

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

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

Consequently, such criteria must be based on "water quality and quantity," not to limit density, which is under the purview of and, thus, a decision made by the legislative body (i.e., King County Council), not the Board of Health or other agency.

TrEE Committee Proposed Striker Amendment: No changes.

We request the TrEE Committee address our CONCERN, carefully consider our RATIONALE, and adopt our RECOMMENDATION.

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

Comments on Proposed TrEE Striker Amendment to 2016 KCCP Update Greater Maple Valley Unincorporated Area Council

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

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

TrEE Committee Proposed Striker Amendment: No changes.

We request the TrEE Committee address this apparent discrepancy.

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

RECOMMENDATION: We strongly support the addition to item a.

TrEE Committee Proposed Striker Amendment: Revert to 2012 language for list item “a.”

We do not concur. We request the TrEE Committee accept the Executive’s proposed addition of “Rural Area.” The Rural Area is not a shopping area for urban residents who have ample shopping venues available.

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

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

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

Note #38: Utility Facilities consisting of regional surface water flow control and water quality facilities that are proposed to be wholly located within a Resource or Rural-designated area and associated in whole or in part with an existing or new proposed private residential

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development that is located wholly within an Urban-designated area are prohibited. Where such conditions are proposed for a new facility or where substantial facility or service area modifications to an existing regional surface water flow control and water quality facility are proposed, the requirements under Note #8 shall apply to Utility Facilities.

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

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

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

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

TrEE Committee Proposed Striker Amendment: No changes.

We request the TrEE Committee address our CONCERN and adopt our RECOMMENDATION. Separately, the King County Council should address the problem in the King County Code we have discussed in our COMMENT. We have repeatedly identified this issue over the past several years, but no action has been taken. This also could be considered under Development Code changes.

7. R-334 “To maintain traditional rural development patterns and assure continued opportunities for resource activities in the Rural Area, large lot development is preferred in the Rural Area. Clustering of lots is permitted when:...d. The development can be served by rural facility and service levels (such as on-site sewage disposal, private well(s) for on-site water ((and)) supply, and rural fire protection).”

TrEE Committee Proposed Striker Amendment: Remove requirement for clustered developments to be served by private wells for on-site water.

We previously did not provide any comments on this policy because we supported the Executive’s proposed changes. However, we do not concur with the TrEE Committee’s proposed Striker here, as we do not want to see major water extensions into the Rural Area to serve development.

8. R-512 “The creation of new Industrial-zoned lands in the Rural Area shall be limited to those that have long been used for industrial purposes, do not have potential for

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conversion to residential use due to a historic designation and that may be accessed directly from SR-169.”

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

TrEE Committee Proposed Striker Amendment: *No changes.*

We continue to request the County reconsider the use of “so-called” Demonstration Projects, which essentially act as avenues through which development can be done outside of existing County Code provisions. Pacific Raceways and Reserve Silica, unfortunately, represent just two recent examples.

9. VI. Resource Lands / E. Mineral Resources

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

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

TrEE Committee Proposed Striker Amendment: *No changes.*

We again request the County reconsider the use of “so-called” Demonstration Projects, which act as avenues through which development can be done outside of existing County Code provisions.

CHAPTER 5—ENVIRONMENT

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

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

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

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

RECOMMENDATION: *Do not use "In-lieu fees" as a mitigation method.*
TrEE Committee Proposed Striker Amendment: *Did not address our CONCERN.*

We request our CONCERN and RECOMMENDATION be considered.

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

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

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

TrEE Committee Proposed Striker Amendment: *No changes.*

We reiterate our CONCERN and expect the County to follow its own policies.

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

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

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

TrEE Committee Proposed Striker Amendment: *No changes.*

We reiterate our CONCERN regarding “in-lieu fees.”

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4. V. Geologically Hazardous Areas /F. Coal Mine Hazard Areas

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

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

TrEE Committee Proposed Striker Amendment: *No changes.*

We reiterate our CONCERN to ensure Public safety.

CHAPTER 7—PARKS, OPEN SPACE, & CULTURAL RESOURCES

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

P-118a (Backcountry trails; was P-108):

COMMENT: *Our CONCERNS/QUESTIONS regarding access to Taylor Mountain Park were not addressed:*

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

TrEE Committee Proposed Striker Amendment: *No changes.*

We have received no response to our QUESTION.

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

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

TrEE Committee Proposed Striker Amendment: *Did not address our CONCERN.*

We request our CONCERN be addressed. We reiterate concerns about siting of urban or largely urban-serving facilities in the Rural Area expressed several times herein.

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

P-124 (Trades for Open Space lands):

COMMENT: *Our CONCERN regarding allowing the siting and approval of urban or largely urban-serving facilities in Unincorporated or Rural Areas as a*

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tradeoff to secure additional Open Space and/or Trail Connections was not addressed:

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

TrEE Committee Proposed Striker Amendment: No changes.

We reiterate our RECOMMENDATION to add a third sentence to policy P-124 regarding siting of such facilities.

CHAPTER 8—TRANSPORTATION

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

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

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

TrEE Committee Proposed Striker Amendment: No changes.

We reiterate our CONCERN and RECOMMENDATION to add a second sentence to policy T-102 on county-wide “road networks.”

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

- a. Connects one urban area to another, or to a highway of statewide significance that provides such connection, by traversing the Rural Area and Natural Resource Lands;
- b. Classified as a principal arterial;
- c. Carries high traffic volumes (at least 15,000 ADT); and

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d. At least half of P.M. peak trips on the corridor are traveling to cities or other counties.”

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

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

TrEE Committee Proposed Striker Amendment: No changes.

We reiterate our CONCERN and RECOMMENDATIONS to explore all rational paths to fix a clearly broken funding system. We understand this is a very big, regional issue and have convened forums to address same. This issue must be confronted for the future quality of life of our area and economy.

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

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

TrEE Committee Proposed Striker Amendment: No changes.

We believe the Executive, County Council, and KCDOT all understand our CONCERN, but we have not seen any follow-through. We still believe the biggest impediment to Concurrency working as it was originally intended is lack of a “regional” perspective. The County and PSRC can and should work to make that a reality.

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

COMMENT: We wholly concur with Docket Item #15 to eliminate T-224 as TDRs should not be used to satisfy Concurrency testing anywhere within the Rural Area. Concurrency is a tool used to ensure infrastructure keeps up with development. The use of TDRs to satisfy Concurrency testing does nothing to

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help reach that goal and, in fact, can hinder reaching that goal. Consequently, we provide the following:

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

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

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

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

TrEE Committee Proposed Striker Amendment: *No changes.*

We request the TrEE Committee revisit our CONCERN and adopt our RECOMMENDATIONS to eliminate policy T-224 and add a new policy related to concurrency testing.

5. P. 8-38: IV. Financing Services and Facilities that Meet Local and Regional Goals/ B. Road-Related Funding Capabilities.

COMMENT: *Rural Area taxpayers should not be providing diminishing tax monies any more than they already are to enhance or expand urban-to-urban travel corridors. King County should adopt a long-term vision that recognizes the reality of long-term road revenue shortfalls and should act proactively to avoid decreases in future funding levels. Policies herein should be based on such realities in order to be successful. Consequently, we recommend the following:*

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

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

TrEE Committee Striker Amendment: *No changes.*

We understand the TrEE Committee is fully cognizant of this issue and that the solution lies with dealing with the State. Consequently, we request adoption of the addition provided in our RECOMMENDATION. The paragraph to which we refer in our RECOMMENDATION is now located on p. 8-37 lines 1343-1347.

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6. **T-405** *“During review of its Comprehensive Plan, King County should consider and address any potential shortfalls likely to occur between expected revenues and costs to maintain, preserve and improve existing transportation infrastructure and service levels. Such review could include a reassessment of land use, growth targets, LOS standards, and revenue availability.”*

TrEE Committee Striker Amendment: Removed the word “existing.”

We did not provide any comment on this Policy because we agreed with the Executive’s proposed addition: “to maintain, preserve and improve existing transportation infrastructure and service levels.” We request the TrEE Committee restore the word “existing” as this Policy is meant to address “potential shortfalls” that will directly affect our existing infrastructure which the Country has recognized it cannot adequately maintain..

CHAPTER 9—SERVICES, FACILITIES, & UTILITIES

1. **F-230** *“Siting analysis for proposed new or expansions to existing essential public facilities shall consist of the following...:”*

COMMENT: Please see RECOMMENDATION under R-326 list item c above.

TrEE Committee Proposed Striker Amendment:

While we agree with the miscellaneous changes proposed in the Striker, we remain concerned about the underlying issue with the County Code we identified earlier under R-326 list item c. having to do with “Utility Facilities consisting of regional surface water flow control and water quality facilities that are proposed to be wholly located within a Resource or Rural-designated area...”

2. **F-236** *“In the Rural Area, King County land use and water service decisions support the long-term integrity of Rural Area ecosystems. Within the Rural Area, individual private wells, rainwater catchment, Group B water systems, and Group A water systems are all allowed. If an existing Group A water provider cannot provide direct or indirect service to new development per the exceptions in Policy F-233, a new public water system or private well may be established if it is owned or operated by the following, in order of preference:*

- a. By a satellite management agency approved by the state Department of Health under contract with the Group A system in whose service area the system is located, provided that the existing Group A water system remains responsible for meeting the duty to serve the new system under RCW 43.20.260; and*
- b. By a satellite management agency or an existing Group B system approved by both the State Department of Health and King County. If service cannot be obtained by means of the above stated options, then water service may be obtained by creation of a new system, use of private wells or rainwater catchment. All new public water systems formed in the Rural Area shall connect to the Group A water system in whose service area the new system is located when direct service becomes available.”*

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

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

TrEE Committee Proposed Striker Amendment: *No changes.*

We request the TrEE Committee adopt our RECOMMENDATION so that small Group B water systems are not be required to, but may, connect to Group A water systems when they become available.

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

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

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

TrEE Committee Proposed Striker Amendment: *No changes.*

We request our CONCERN be re-considered and our RECOMMENDATION to eliminate policy F-240 be adopted.

4. F-262 “Collective on-site systems may be used only in the following circumstances in the Rural Area and Resource Lands:

a. Existing on-site systems are failing within an area and the Seattle/King County Department of Public Health concurs that long-term individual on-site system repairs are not feasible or water quality is threatened by the presence of or potential for health hazards resulting from inadequate on-site wastewater disposal methods;

b. An authorized public agency will manage the community system; and

c. The community system is designed only to serve existing structures and lots and cannot be used as a basis to increase density or to expand permitted nonresidential uses. Substandard vacant lots must be combined to the extent feasible to meet rural density policies as a precondition to establishing a collective on-site system. Management of the community system must be by an authorized public agency.”

TrEE Committee Proposed Striker Amendment: *Eliminate the Executive’s addition to paragraph “c.”*

We request sentences 2 and 3 of paragraph “c.” be eliminated. We are concerned about the possibility of denying (revoking ?) vested rights to develop nonconforming (“substandard” ?) lots when installing a community onsite sewage system. It is our understanding a community system should be designed to handle sewage from all lots within its service area, regardless of whether such are conforming or nonconforming with current zoning requirements.

CHAPTER 10--ECONOMIC DEVELOPMENT

1. Overarching comments:

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

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

TrEE Committee Proposed Striker Amendment: Not addressed.

We understand earlier this year the Executive created a new position of Economic Development Policy Director within his Intergovernment Relations Group. We have requested Ms. Shevlin speak before our Unincorporated Area Council later this Fall so we and our community can understand how the County plans to address our concerns.

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

TrEE Committee Proposed Striker Amendment: Not addressed.

We request the TrEE Committee consider our CONCERN throughout this Chapter, as both aquaculture and fisheries are important industries to our region.

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

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

"...that demonstrate their innovativeness, intellectual property development, production, and/or services and..."

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

TrEE Committee Proposed Striker Amendment: No changes.

We request our our RECOMMENDATIONS be adopted to better clarify County economic strategies.

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

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

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

TrEE Committee Proposed Striker Amendment: No changes.

Please see our earlier overall comment at the head of this chapter.

4. **ED-404** *"Through local subarea planning and partnerships with other agencies and organizations, King County should use zoning, incentives, or other measures to capitalize on the economic benefit of infrastructure projects in a manner consistent with existing and forecasted land uses, and other locational criteria."*

CONCERN: *ED-404 should not be used as a pretext to conceiving and approving "Demonstration Projects" in the Rural Area even if those sites are near major arterials, since most already are congested during ever-longer AM*

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and PM traffic commutes. For example, the Cedar Hills Subarea is near SR-169, but the wait at the intersection traffic light is long and once successfully navigated, one sits in an 8-mile-long backup just to reach the I-405 gridlock in both north and south directions, and then the journey begins to major business centers of Seattle, Tacoma, Bellevue, and Everett.

TrEE Committee Proposed Striker Amendment:

Though changes were made, our CONCERN regarding the deleterious effects of "Demonstration Projects" in the Rural Area still remain.

5. ED-604 "King County will continue to partner with organizations that support programs and strategies that strengthen the interdependence and linkage between the rural, resource and urban economies, such as the Regional Food Policy Council and Puget Sound Fresh and other "Farm to Table" programs."

TrEE Committee Proposed Striker Amendment: Accepted Executive's inclusion of "resource," but not "and other "Farm to Table" programs" due to concerns about "redundancy."

We previously did not provide any comments on this policy because we supported the Executive's proposed changes. We do not believe the Executive's proposed addition of "and other 'Farm to Table' programs" is redundant. We request the TrEE Committee add the above phrase back in.

CHAPTER 11—CSA PLANNING

1. B. Planning Schedule (p. 11-5 Table).

TrEE Committee Proposed Striker Amendment: A Table was added on p. 11-5 listing Subarea Plans in Motion 14351.

In that table under the Cedar Hills/Maple Valley Subarea Plan, the Greater Maple Valley/Cedar River CSA should be added to the Four Creeks/Tiger Mountain CSA under the CSA column. Also, see comments under the corresponding "Area Zoning Studies" Attachment herein.

CHAPTER 12—IMPLEMENTATION

1. I-203 Item b.

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

TrEE Committee Striker Amendment: Now policy I-203, item c, with a complete rewrite.

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We strongly supported the Executive’s proposal to remove the Reserve Silica Demonstration Project language and and strongly disagree with the Striker Amendment’s re-inclusion of same.

2. VI. 2016 Comprehensive Plan Workplan

Action 6: Alternate Housing Demonstration Project

TrEE Committee Striker Amendment: Add this as a new Workplan item.

While we understand the need for alternate housing choices, the Workplan item specifically mentions “unincorporated” King County. Rather, we would expect there is an omission here and that it should refer to “unincorporated urban” so as not to include the Rural Area.

Technical Appendices

Technical Appendix C1—TRANSPORTATION NEEDS REPORT (TNR)

1. CONCERN:

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

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

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

RECOMMENDATION:

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

RCW 43.62 -- DETERMINATION OF POPULATIONS -- STUDENT ENROLLMENTS

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43.62.035 -- Determining population -- Projections

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

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

TrEE Committee Striker Amendment: No changes.

We request the Tree Committee give strong consideration to our CONCERN and ensure the County Council work with the PSRC and the Growth Management Planning Council (GMPC) to address the dichotomy between growth targets and identifying transportation needs. Such an endeavor eventually must work with State officials as our RECOMMENDATION suggests.

Attachments

TrEE Committee Striker Amendment:

Although the following is not part of the Ordinance under consideration; they were provided as informational items by the Executive as part of the March 1, 2016, transmittal package. Consequently, we have provided Comment to the TrEE Committee during its deliberations on the 2016 KCCP Update., which are reproduced below for consideration.

Attachment—AREA ZONING STUDIES

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

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

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

TrEE Committee Striker Amendment:

Once again, as explained above, this is not in the Striker; however, it is described in the August 24, 2016, TrEE Committee Staff Report (p. 16, Table 1. Summary of Land Use proposals, Item #14; p. 29; & pp. 99-101). The County Executive's March 1, 2016, transmitted recommendation was:

Comments on Proposed TrEE Striker Amendment to 2016 KCCP Update Greater Maple Valley Unincorporated Area Council

“Initiate subarea plan in 2023 as part of the Executive’s proposed Four Creeks/Tiger Mountain CSA subarea planning cycle in KCCP Chapter 11, or when there is certainty about the closure of the Cedar Hills landfill.”

We believe our CSA, Greater Maple Valley/Cedar River CSA, in addition to the aforementioned Four Creeks/Tiger Mountain CSA, should be involved. This Subarea Plan will directly affect both CSAs which share a long common boundary. Our GMV/CR CSA surrounds on two sides the area subject to subarea planning. We request the Council ensure the GMV/CR CSA’s participation.

Attachment--DEVELOPMENT CODE STUDIES

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

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

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

“21A.06 TECHNICAL TERMS AND LAND USE DEFINITIONS

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

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

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

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

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

**Comments on Proposed TrEE Striker Amendment to 2016 KCCP Update
Greater Maple Valley Unincorporated Area Council**

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

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

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

TrEE Committee Striker Amendment:

Once again, as explained above, this is not in the Striker. It also was not covered in the August 24, 2016, TrEE Committee Staff Report. However, we request the Council, at some future date, give due consideration to our CONCERNS and RECOMMENDATION.

From: Lyndsay Price [<mailto:Lyndsay@paadvisors.com>]
Sent: Monday, September 12, 2016 4:34 PM
To: CouncilCompPlan <CouncilCompPlan@kingcounty.gov>
Subject: Fairwood Plaza LLC: Proposal Letter

Reagan,

Hello my name is Lyndsay Price and we are the property management company for Fairwood Plaza LLC. We received your letter to the owner in regards to your land use proposal. Our owner reiterated to us that he all in favor with this land use proposals. Do you need a letter from him to state this acknowledgement?

Please contact me if you have any questions or concerns. Thank you so much,

Lyndsay Price
Operations Assistant



600 108th Avenue NE, Suite 530, Bellevue, WA 98004
☎ 425.990.6200 x100 | ☎ 425.990.6207
www.paadvisors.com

From: [Janice Magill Sattler](#)
To: [CouncilCompPlan](#)
Subject: Melki Parcel 1457500005
Date: Wednesday, September 14, 2016 1:12:00 PM

King County Council:

Reference: Land use and zoning in regard to the Parcel 1457500005, Highlands Auto Used Car lot at 12811 164th Ave SE, Renton, WA.

I support Tom Carpenter's proposal to rezone this parcel to R1.

I do not understand why the owners of the Highlands Auto are not forced to comply with the conditions and rules. The rules apply to them as well as all other King County residences and businesses. They are NOT special. Rules and regulations are made for a reason and need to be enforced. Doing the deed then asking permission is not the way to do business.

Why were they ever granted a permit to have a used car lot in the first place?

This unsettlement, lack of compliance and lack of enforcement of the rules has gone on much too long.

Janice Sattler

From: jeffreykrier@yahoo.com
To: [CouncilCompPlan](#)
Subject: Fairwood A proposal
Date: Thursday, September 15, 2016 9:17:02 PM

Dear council members,

I am writing to voice my concern about the Fairwood "A" Proposal that is at the intersection of 140th ave Se and 180th St., in Renton ,WA. This is to rezone parcel # 3423059034 from R-6 to R-18 or a total of four parcels to R-18. I currently reside in the Westmont Vista neighborhood at 13423 se 181st St. and I am not in favor for this for two reasons. increased traffic and unwanted attention.

First , I am concerned about the increased traffic. With a large apartment complex being built , alongside a massive retirement community , there would be the likelihood of more pedestrian traffic through Westmont Vista and and the Forest Estates neighborhood for those trying to reach 192nd st. Also, if the fire access easement that prevents through traffic for motorist were to ever be lifted , Westmont Vista would become a freeway for motorists trying to avoid traffic lights on 192nd and 140th, especially during peak hours. Westmont vista is currently very quiet and peaceful.The addition of large multi family complexes so close , would impede on this attractive neighborhood quality.

Second,I am concerned about unwanted attention. With an increased amount of residents so close , it also brings the chance of increased loitering , which i am strongly against . The more loitering that occurs , the likelihood for theft and unsafe conditions increases as well. I view Westmont vista as a very safe , and family friendly environment . As a father of two young children , this is a core neighborhood quality and I would like to have it stay that way. Also, the neighborhood as a whole is currently very trusting of one another . I want the focus to continue to revolve around neighborhood cohesiveness and not have other distractions such as theft ,vandalism, or violence jeopardize this aspect of the neighborhood .

Sincerely ,

Jeff Krier

From: treedy007@comcast.net
To: [CouncilCompPlan](#)
Subject: Proposed rezoning of Parcel #3423059034
Date: Thursday, September 15, 2016 8:03:37 PM

I feel very strongly that it would be inappropriate to rezone parcel #3423059034 from it's current R-6 to a proposed R-18 due to the inadequacy of the intersection of SE 180th St and 140th Ave SE to provide for the safe ingress and egress of the additional residents.

When exiting SE 180th St and turning left onto 140th Ave SE there is insufficient sight distance to the north. I would like the County to tell me what the entering sight distance is for this intersection and how it meets road standards.

There is insufficient intersection spacing both to the intersection to the north of SE 180th St and to the south of SE 180th St on 140th Ave SE. 140th Ave SE is classified as a principal arterial requiring spacing between adjacent intersecting streets of 1000 feet. The distance to the intersecting street to the north (SE 177th St) is 475 feet and the distance to the intersecting street to the south (SE 179th Pl) is 340 feet.

In addition to the inadequacy of the road system to handle the additional residents, all of the land immediately adjacent to Parcel #3423059034 is zoned R-6. Rezoning to R-18 would be creating an island of R-18 surrounded by R-6 zoned land. This certainly appears to be an attempt to benefit a single property owner while negatively impacting the quality of life for other area property owners.

We were first notified by King County about the proposal to rezone this parcel and the desire of the property owner to build a 68 unit apartment building on it on September 12th. I am unable to attend the meeting on September 20th to voice my opposition to this proposal and do not think area residents were given sufficient time to weigh in on the proposal.