



## Legislation Text

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Clerk 12/06/2012

A MOTION establishing the Eastside Rail Corridor as a corridor of regional significance and declaring the criticality of the regional ownership partnership by establishing the Eastside Rail Corridor regional advisory council to immediately initiate a regional planning process.

WHEREAS, the Eastside Rail Corridor ("the ERC") is a forty-two-mile corridor that extends from Renton to Snohomish and from Woodinville to Redmond, and

WHEREAS, the ERC creates a direct contiguous land use and transportation connection through the communities of Renton, Bellevue, Kirkland, Redmond, Woodinville, Snohomish county and King County, and

WHEREAS, the first time acquisition of the ERC was studied was by the Puget Sound Regional Council, leading to the original vision of potential uses. In May 2007, the Puget Sound Regional Council completed a technical study of the ERC identifying desirable potential uses and examining their general impacts, the comparative costs of such potential uses and the legal or institutional issues associated with preserving or acquiring the ERC. Based on this study, the BNSF corridor advisory committee recommended, for the ERC portion south of Woodinville, that, among other uses, an interim regional multipurpose trail be developed, and

WHEREAS, the region, through the Puget Sound Regional Council has established land use and transportation plans to guide the integrated and managed growth of the Puget Sound region, and

WHEREAS, the ERC is centrally located within the Puget Sound planning area, and

WHEREAS, these regional planning efforts have established, through Vision 2040, regional goals for

the economy, housing, transportation, public services, development patterns and the environment, and

WHEREAS, the ERC provides an opportunity to connect jobs, housing and transportation across multiple communities, and

WHEREAS, King County has established policy emphasizing the critical importance of transportation dual-usage, transit and nonmotorized trail usage, to link the centers and cities of the Puget Sound region, and

WHEREAS, development of the ERC has the potential to meet future public transportation needs by providing regional livability connections to South, East and North King County through a series of biking, walking and hiking trails, and

WHEREAS, the ERC could also provide for a regional trail system that could extend into Snohomish and Skagit counties to the north, and Pierce county to the south, and

WHEREAS, the ERC is a regional utility corridor for the transmission of natural gas, electricity (and related facilities), water and wastewater, and

WHEREAS, King County has experience with other joint use corridors such as the Interurban Trail and the Tolt Corridor, and

WHEREAS, the ERC provides a trans-generational opportunity to support walkable, compact and connected communities through publically owned lands, and

WHEREAS, through dual-usage and trail sponsorship, King County has an opportunity to enhance and protect the environment through reduced greenhouse gas emissions and to improve public health through increased opportunities to bike and walk, and

WHEREAS, the ERC provides a regional opportunity to connect historically disadvantaged and geographically disparate communities and centers, and

WHEREAS, the ERC is now under public ownership, and

WHEREAS, King County is the interim trail sponsor, and

WHEREAS, King County is entering into a Purchase and Sale Agreement with the Port of Seattle for

15.6 miles of fee ownership in the southern portion of the ERC south of Woodinville and 3.6 miles of trail easement within the northern portion of the ERC north of Woodinville, contingent upon future financing, a Reciprocal Coordination and Cooperation Covenant Agreement with Puget Sound Energy, an Intergovernmental Land Transfer Agreement with the city of Redmond and a prospective Intergovernmental Land Transfer Agreement with the city of Kirkland, and

WHEREAS, Puget Sound Energy has purchased a utilities easement the length of the ERC, and

WHEREAS, Sound Transit has purchased 1.1 miles of fee ownership in Bellevue and a transit easement over the southern portion of the ERC, and

WHEREAS, the cities of Redmond and Kirkland have purchased in fee those portions of the ERC within their respective municipal boundaries, and

WHEREAS, Puget Sound Energy, Sound Transit, Redmond and King County were all a party to the November 5, 2009, Memorandum of Understanding, wherein dual usage was a guiding principle, and

WHEREAS, the city of Kirkland is in agreement with that guiding principle for the use of its property rights, and

WHEREAS, King County's dual usage policy identifies the critical importance of a comprehensive regional planning process, and

WHEREAS, this motion advances the goals of the county's Strategic Plan by encouraging vibrant, prosperous and sustainable communities and safeguarding and enhancing King County's natural resources environment, and

WHEREAS this motion further advances the goals of the county's Equity and Social Justice Initiative by supporting ongoing public access for all people to the ERC as a safe, clean and quality outdoor space and facility that will serve the interests of the citizens of the region, and

WHEREAS this legislation advances the adopted King County Comprehensive Plan by furthering economic development, housing, natural resources, utilities and transportation modalities, and

WHEREAS, the eastside of King County is the second largest economic engine in the state, and

WHEREAS, the most affordable housing is located in southern King County, and

WHEREAS, the economic recession has caused all levels of government to look toward creative financial partnerships, and

WHEREAS, the taxpayers of King County are the same taxpayers who support Sound Transit, and

WHEREAS, interim use of the ERC is subject to freight reactivation, and

WHEREAS, the high capacity transportation, regional trail and county wastewater facilities that are to be located in the ERC will be of significant public benefit and constitute essential public facilities. As essential public facilities, these transportation, trail and wastewater uses are subject to the requirements of the Growth Management Act, and

WHEREAS, the ERC will be a dual use transportation corridor, which is a corridor that will provide for the co-location of motorized public transportation facilities and regional trail facilities;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

A. Due to its regional role in connecting and supporting vibrant, livable and healthy communities for all, the ERC is hereby designated a corridor of regional significance.

B. The high capacity transportation, regional trail and county wastewater facilities that are to be located in the ERC will be of significant public benefit and constitute essential public facilities. As essential public facilities, these transportation, trail and wastewater uses are subject to the requirements of the Growth Management Act.

C. The Eastside Rail Corridor regional advisory council ("ERCRCAC") is hereby established as a collaborative group to carry out a regional planning process to "coordinate planning and development activities to the extent possible to ensure effective use of the southern portion of the ERC and the Redmond Spur" as previously discussed in that certain November 5, 2009, memorandum of understanding. The ERCRCAC's regional planning process and guiding principles shall work to implement the regional dual use objectives

consistent with any existing easements, covenants and other property interests of record that are applicable to the ERC.

D. The executive shall transmit by January 16, 2013, for council confirmation by motion, advisory council membership with the following executive-level representation:

1. Three King County councilmembers;
2. King County executive or the executive's designee;
3. One representative from the city of Redmond;
4. One representative from the city of Kirkland;
5. One representative from Puget Sound Energy; and
6. One representative from Sound Transit.

E. The King County executive and county councilmember representing the majority of the cities directly impacted by ERC development shall serve as co-chairs and shall convene the first meeting of the advisory council in February 2013.

F. A technical staff team shall be established by the advisory council to support the work of the advisory council.

G. A third-party facilitator who is not an employee of King County shall be hired by the county to lead the work of the advisory council based on the guidance of the co-chairs of the advisory council and the support of the interagency, technical-staff working group.

H. The goal of the advisory council is to oversee the partner planning process including implementing and coordinating the rail, trail and utility uses in the ERC, coordinating with affected cities around local planning and development with the regional uses and overseeing the work of a technical staff work group.

I. Consistent with that goal, the advisory council will develop a charter and work plan with policy options identified for discussion by March 29, 2013. As part of their due diligence, the advisory council should review and consider previous studies of the ERC. The advisory council shall address both near-term and long-

term recommendations including any needed changes to the county's countywide planning policies and present them to the King County executive by July 31, 2013.

J. The advisory council shall reach out to a broad-spectrum of stakeholders, including but not limited to representatives of regional partners, local governments in the ERC, community organizations, business owners, adjacent landowners, rail/trail advocates, public health agencies and citizens who are interested in the ERC's development.

K. The King County executive shall transmit these recommendations by motion to the council by August 30, 2013.