June 29, 2011

The Honorable Dow Constantine, Chair
Growth Management Planning Council (GMPC)
Department of Development and Environmental Services
900 Oakesdale Avenue SW
Renton, WA 98057-5212

Dear Chair Constantine and Growth Management Planning Council:

YarrowBay Holdings LLC (YarrowBay) respectfully submits the following comments, questions, and concerns on the King County Countywide Planning Policies 2011 Update Public Review Draft dated June 15, 2011.

YarrowBay is a company dedicated to helping communities meet their growth needs through careful and thoughtful land planning that focuses on the principles of smart growth, sustainability and transportation efficiency. As a land developer, YarrowBay is currently working with the City of Black Diamond and community stakeholders to create two Master Planned Developments ("MPDs") in Black Diamond. Both MPDs are located within the Urban Growth Area but include coordination among the City of Black Diamond, unincorporated King County, and surrounding jurisdictions.

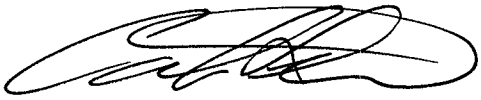
Given our thoughtful approach to land planning, YarrowBay is concerned that the policies within the draft King County Countywide Planning Policies 2011 Update ("CPP Update") may collectively preclude many innovative forms of development, master planning, the development of regional infrastructure solutions, and the use of low impact development techniques. For example, YarrowBay objects to policies within the draft CPP Update that effectively precludes public and capital facilities in Rural Areas that may also serve urban populations within the Urban Growth Area. YarrowBay also objects to and is concerned with the policies within the draft CPP Update because they fail to recognize and/or include consideration of environmental logistics and/or conditions that make siting certain facilities in Rural Areas the environmentally optimal location.

The proposed CPP Update has the potential to unravel negotiated agreements that took years to make. Attached to these comments are YarrowBay's redline edits to selected policies from the

proposed CPP Update for your consideration. We believe these changes preserve existing agreements and allow for regional solutions to critical issues facing South King County. **In general, our proposed changes are designed to facilitate the implementation of low impact development techniques and best management practices; to allow the construction of public/private demonstration projects in the Rural Area; and to authorize education facilities in the Rural Area on sites currently owned or under contract by school districts that serve both rural and urban populations.**

Thank you for your consideration of YarrowBay's comments regarding the CPP Update Public Review Draft.

Respectfully Submitted,



Colin Lund
Chief Entitlement Officer

2011 King County Countywide Planning Policies
June 15, 2011

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DP-1 (p. 15) Designate all land within King County as either:

- Urban land within the Urban Growth Area, where new growth is focused and accommodated;
- Rural land, where farming, forestry, and other resource uses are protected, and ~~very~~ low-density residential uses~~,~~ and ~~small-scale~~ non-residential uses are allowed as described herein; or
- Resource land, where permanent regionally significant agricultural, forestry, and mining lands are preserved.

...

DP-45 (p. 27) Limit growth in the Rural Area to prevent sprawl and the overburdening of rural services, reduce the need for new rural infrastructure, maintain rural character, encourage low impact development approaches and best management practices, and protect the natural environment.

DP-46 (p. 27) Limit residential development in the Rural Area to housing at low densities that are compatible with rural character and comply with the following density guidelines:

a) One home per 20 acres where a pattern of large lots exists and to buffer Forest Protection Districts and Agricultural Districts
b) One home per 10 acres where a pattern of~~the predominant~~ lot sizes ~~is~~ less than 20 acres exists; or
c) One home per five areas where a pattern of~~the predominant~~ lot sizes ~~is~~ less than 10 acres exists.
d) Allow ~~limited~~ clustering within development sites to avoid development on environmentally critical lands or on productive forest or agricultural lands, or to encourage low impact development approaches and best management practices, but not to exceed the density guidelines cited in (a) through (c).

DP-47 (p. 27) Limit the extension of urban infrastructure improvements through the Rural Area to ~~only~~ cases where it is necessary to serve the Urban Growth Area and where there are no other feasible or practical alignments or the improvements are part of a public-private demonstration project. Such limited extensions may be considered only if land use controls are in place to restrict uses appropriate for the Rural Area and only if access management controls are in place to prohibit inappropriate tie-ins to the extended facilities.

DP-48 (p. 27) Establish rural development standards to protect the natural environment by using seasonal and maximum clearing limits for vegetation consistent with allowed Rural Area uses, limits on

the amount of impervious surface consistent with low impact development techniques, surface water management standards that preserve natural drainage systems, water quality and groundwater recharge, and best management practices for resource-based activities.

DP-49 (p. 27) To the maximum extent practical and feasible p~~P~~revent or, if necessary, mitigate negative impacts of urban development to the adjacent Rural Area.

DP-50 (p. 27) Limit new public facilities located in the Rural Area to a size and scale appropriate to serve the Rural Area unless: (i) the public facilities are consistent with a rural location, such as a passive park; (ii) the facilities are part of a public-private partnership demonstration project; or (iii) it is an education facility proposed by a school district that serves both urban and rural populations and the school district either owns the facility site or has the facility site under contract as of the date of the King County Council's adoption of the 2011 King County Countywide Planning Policies.

...

T-2 (p. 40) Where practical and feasible, a~~A~~void construction of major roads and capacity expansion on existing roads in the Rural Area and Resource Lands unless proposed road alignment is necessary to avoid critical or sensitive areas. Where increased roadway capacity is warranted to support safe and efficient travel through the Rural Area, appropriate rural development regulations and effective access management should be in place prior to authorizing such capacity expansion in order to make more efficient use of existing roadway capacity and prevent unplanned growth in the Rural Area.

...

PF-7 (p. 45) Plan and locate water systems in the Rural Area that are appropriate for rural uses and densities as described herein~~nd do not increase the development potential of the Rural Area~~.

...

Sewage Treatment and Disposal (p. 45-46)

...

In the Rural Area and Resource Lands, which are characterized by low-density development, sewer service is not typically provided. In cases of educational facilities or where public health is threatened, sewers can be provided in the Rural Area but only if connections are strictly limited. Alternative technology may be necessary to substitute for septic systems in the Rural Area.

...

PF-12 (p. 46) Prohibit sewer expansion in the Rural Area and Resource Lands except where needed for educational facilities or to address specific health and safety problems threatening existing structures. If needed, provide such sewer expansion in a manner that does not increase development potential in the Rural Area.

...

PF-18 (p. 47) Unless it is an educational facility site owned, or under contract, by a school district as of the date of the King County Council's adoption of the 2011 King County Countywide Planning Policies, l~~L~~ocate human, community, and educational services and facilities that serve only urban populations within the Urban Growth Area, where they are accessible to the populations that they serve. Where practical and feasible, s~~S~~ite these services and facilities in locations that are well served by transit and pedestrian and bicycle networks.

PF-19 (p. 47) Where practical and feasible, l~~L~~ocate human, community, and educational services and facilities that serve rural residents in neighboring cities, rural towns, and rural neighborhood centers.