



King County

Metropolitan King County Council Transportation, Economy and Environment Committee

STAFF REPORT

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SUBJECT

A briefing on the proposed 2016 update to the King County Comprehensive Plan (KCCP).

SUMMARY

This year marks a four-year, “major” update to the KCCP, which allows for consideration of substantive policy changes to the Plan and potential revisions to the Urban Growth Area (UGA). The Executive transmitted the proposed 2016 KCCP to the Council on March 1. The Council is in the process of reviewing and deliberating on the Executive’s proposal. The Council’s review thus far has included eight briefings in the Transportation, Economy and Environment Committee (TrEE). Three more TrEE briefings are scheduled over the next month, which will lead up to possible action in TrEE on September 20 and possible final adoption at the full Council in late 2016.

Today’s briefing will be a follow-up on issues identified in:

- Previous TrEE briefings across all KCCP chapters,
- The development code ordinance (Proposed Ordinance 2016-0155), and
- The Real Property Asset Management Plan ordinance (Proposed Ordinance 2016-0159).

Follow-up on land use proposals will be discussed at the August 24 special TrEE meeting.

BACKGROUND

The KCCP is the guiding policy document for land use and development regulations in unincorporated King County, as well as for regional services throughout the County, including transit, sewers, parks, trails, and open space. The King County Code dictates the allowed frequency for updates to the KCCP.

Annual cycle. On an annual basis, only technical changes and other limited amendments to the KCCP are allowed to be adopted.¹ This is known as the “annual cycle.” While the Code states that the KCCP “may be amended” annually,² it is not required to be reviewed or amended on an annual basis.

Four-year cycle. Substantive changes to policy language and amendments to the UGA boundary³ are only allowed to be considered once every four years.^{4,5} This is known as the “four-year cycle.” The Code requires the County to complete a “comprehensive review” of the KCCP once every four years in order to “update it as appropriate” and ensure continued compliance with the Growth Management Act (GMA).⁶ The Code requires the Executive to transmit to the Council a proposed ordinance amending the KCCP once every four years.⁷ However, the Code does not require the Council to adopt a KCCP update during the four-year cycle.⁸ This year’s four-year review of the KCCP is the fifth major review since 2000.

GMA update requirements. It is worth highlighting how the County’s KCCP cycles fit into the GMA planning cycles. The GMA requires cities and counties to update their comprehensive plans once every eight years.⁹ The GMA authorizes, but does not require, cities and counties to amend their comprehensive plans annually.

For King County, the GMA-established plan update deadlines are in 2015 and 2023. For the purposes of the GMA, the 2012 update to the KCCP¹⁰ satisfied the State’s requirement to update the County’s comprehensive plan by 2015. The GMA does not require the County to complete another comprehensive update until 2023. Under the County’s current policies and Code, the County will complete this update in the 2020 four-year cycle.

Under the County’s policies and regulations, the 2016 review of the KCCP constitutes a “four-year amendment.” However, under GMA requirements, the County’s 2016 review is subject to the rules applicable to an “annual amendment,” which is not a required action.

¹ K.C.C. 20.18.030

² K.C.C. 20.18.030(B)

³ Note that Four-to-One UGA proposals may be considered during the annual cycle (see K.C.C. 20.18.030(B)(10), 20.18.040(B)(2), 20.18.170, and 20.18.180).

⁴ From year 2000 and forward. Substantive updates to the KCCP can be considered on a two-year cycle, but only if: “the county determines that the purposes of the KCCP are not being achieved as evidenced by official population growth forecasts, benchmarks, trends and other relevant data” (K.C.C. 20.18.030(C)). This determination must be authorized by a motion adopted by the Council. To date, this option has not been used by the County.

⁵ The annual Capital Improvement Plan (CIP), Transportation Needs Report (TNR), and school capital facilities plans are elements of the KCCP but are adopted in conjunction with the County budget, and thus follows separate timeline, process, and update requirements (see K.C.C. 20.18.060 and 20.18.070).

⁶ K.C.C. 20.18.030(C)

⁷ K.C.C. 20.18.060

⁸ If the Council decides not to adopt a four-year update, the County may still need to formally announce that it has completed the required review; the mechanism to do that, whether legislatively or not, would need to be discussed with legal counsel.

⁹ Revised Code of Washington (RCW) 36.70A.130

¹⁰ Ordinance 17485

Actions to date for the 2016 KCCP. In May 2015, the Council adopted the Scoping Motion¹¹ for the 2016 KCCP update, a link to which is provided at the end of the staff report. The Scoping Motion outlined the key issues the Council and Executive identified for specific consideration in the forthcoming KCCP update. While the scope of work approved through the Scoping Motion was intended to be as thorough as possible, it does not establish the absolute limit on the scope of issues that can be considered. Based on subsequent public testimony, new information, or Council initiatives, other issues may also be considered by the Executive or the Council – except for UGA expansion proposals, which must follow the limitations of KCCP policy RP-107¹² as discussed in the Area Zoning Studies and Land Use Map Amendments section of the March 15 staff report.¹³

King County Code (K.C.C.) 20.18.160 and RCW 36.70A.140 call for “early and continuous” public engagement in the development and amendment of the KCCP and any implementing development regulations. As part of that public engagement process, the Executive published a Public Review Draft (PRD) of the KCCP on November 6, 2015, which was open for public comment through January 2016.¹⁴ During that time, the Executive hosted six PRD community meetings: one each in Fairwood, Skyway, Fall City, Issaquah, and two in Vashon. A summary of the Executive’s outreach efforts can be found in Appendix R “Public Outreach for Development of KCCP.” A detailed listing of all of the public comments received during development of the Plan can be found in the Public Participation Report that is located on the Council’s KCCP website.¹⁵

On March 1, the Executive transmitted the proposed 2016 update to the KCCP. Council review of the transmitted 2016 KCCP thus far has included eight briefings in the TrEE Committee, as well as numerous opportunities to submit written or verbal public comment. Three more TrEE briefings are scheduled over the next month, leading up to possible action in TrEE on September 20 and possible final adoption at the full Council in late 2016. As noted above, today’s briefing will be a follow-up on issues identified in previous TrEE briefings across all KCCP chapters, the development code ordinance (Proposed Ordinance 2016-0155), and the Real Property Asset Management Plan ordinance (Proposed Ordinance 2016-0159). Follow-up on land use proposals will be discussed at the August 24 special TrEE meeting.

¹¹ Motion 14351, which was required to be transmitted by the Executive by K.C.C. 20.18.060. The Council approved the 2016 KCCP scoping motion after the April 30 deadline for Council action. However, as noted in the adopted Motion, the Executive agreed to treat the scope as timely and would proceed with the work program as established in the Council-approved version of the motion.

¹² This policy is currently RP-203 in the adopted 2012 KCCP, and is proposed to be changed to RP-107 as part of the 2016 KCCP. Does not apply to Four-to-One proposals.

¹³ <http://www.kingcounty.gov/council/2016compplan/materials.aspx>

¹⁴ General public comment was open through January 6, 2016. Additional comments on the late addition of the East Cougar Mountain Potential Annexation Area to the Public Review Draft were allowed from January 27 to February 3.

¹⁵ <http://www.kingcounty.gov/council/2016compplan.aspx>

ANALYSIS

How the Analysis section is organized. The analysis in this staff report includes updates on previous policy issues identified by Council staff in each of the chapters of the transmitted 2016 KCCP, including:

- Any issues or inconsistencies with adopted policies and plans,
- Inconsistencies with the Scoping Motion, and
- Highlights of any additional issues for Council consideration.¹⁶

This staff report includes discussion of these issues in:

Chapter 1 Regional Growth Management Planning	Page 21
Chapter 2 Urban Communities	Page 22
Chapter 3 Rural Areas and Natural Resource Lands	Page 24
Chapter 4 Housing and Human Services	Page 25
Chapter 5 Environment	Page 27
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Chapter 11 Community Service Area Planning	Page 32
Chapter 12 Implementation, Amendments and Evaluation	Page 32
Proposed Ordinance 2016-0155 Development Code	Page 34
Proposed Ordinance 2016-0159 Real Property Asset Management Plan	Page 37

¹⁶ For information on the Executive's proposed changes and associated rationale, please refer to the Policy Amendment Analysis Matrix that was included in the 2016 KCCP transmittal package as required by policy I-207, which can be found here:

<http://www.kingcounty.gov/council/2016compplan/transmittal.aspx>

Chapter 1 Regional Growth Management Planning

The policies in Chapter 1 address the King County planning framework,¹⁷ regional partnerships, and planning objectives.

Update on key issues in Chapter 1 of the transmitted 2016 KCCP:

King County Strategic Plan. In 2010, the King County Council adopted the “King County Strategic Plan, 2010-2014: Working Together for One King County” through Ordinance 16897. In 2015, the King County Council passed Motion 14317, which adopted new goals and initiated an update of the Strategic Plan. The Council is evaluating the proposed updates to Chapter 1, and the rest of the KCCP, to ensure consistency with the most recent adopted goals of the Strategic Plan.

Guiding Principles structure. The transmitted 2016 KCCP proposes to relocate the 2012 Guiding Principles policies from the Introduction into the second half of Chapter 1 and to change the name of these policies from “Guiding Principles” to “Planning Objectives.” The Council has been evaluating the reference to these policies as “Planning Objectives” within the context of the KCCP and whether they should be returned to their former definition as “Guiding Principles.”

Amendments to Guiding Principles. The Council is evaluating the impacts of the changes to the former Guiding Principles policies in the transmitted 2016 KCCP, including:

- **Benefits of county activities.** RP-201 of the transmittal amends a 2012 Guiding Principle to state that the County shall seek to ensure that all County activities provide social, environmental and economic benefits. This proposed language is broad and it is unclear how this would be defined, measured, or enforced. The Council is evaluating language to clarify how the benefits and impacts of County activities could be addressed.
- **Existing UGA.** RP-203 of the transmittal amends a 2012 Guiding Principle, which now calls for focusing growth within the “existing” UGA consistent with adopted growth targets. It appears that this policy change is intended to be consistent with general growth management principles in the GMA, Multicounty Planning Policies (MPPs), Countywide Planning Policies (CPPs), and 2012 KCCP to focus growth within the UGA. However, changing the policy to the focus on the “existing UGA” could limit consideration of UGA expansions that are currently allowed under the current CPPs and KCCP. The Council is evaluating language that would be more consistent with the current policies.

¹⁷ Including relationships to Growth Management Act (GMA); the Puget Sound Regional Council's (PSRC) VISION 2040, Regional Growth Strategy, and Multicounty Planning Policies (MPPs); and the Growth Management Planning Council's (GMPC) Countywide Planning Policies (CPPs); the KCCP; and County functional plans.

- **Equity and Social Justice (ESJ) integration.** The transmitted 2016 KCCP includes text in the Planning Objectives section stating that countywide services, such as recreation, transit service, and public health, will be focused on cities in the contiguous UGA. Additionally, a new map has been proposed for this section that shows a composite of concentrations of three types of historically disadvantaged communities, which could imply that ESJ considerations may be less of a factor in planning in rural and natural resource areas. While the map and its accompanying text is not located in policy, it does imply intent for County operations and could indicate that some services, including recreation and public health, could be less available to:
 - Residents of cities in eastern King County, such as Carnation, Duvall, Enumclaw, North Bend, Skykomish, and Snoqualmie.
 - Urban unincorporated residents, such as those in Fairwood, Highline, Skyway-West Hill, and White Center.
 - Residents in the rural area.

The Council is evaluating the inclusion of this map and associated text and whether it should be replaced with text that focuses on indicators of disparities as defined by the Determinants of Equity, rather than focusing on certain populations.

Chapter 2 Urban Communities

The policies in Chapter 2 address development in urban unincorporated areas; creating healthy and sustainable communities; coordination with cities regarding urban unincorporated areas; and strategies with respect to annexations.

Update on key issues in Chapter 2 of the transmitted 2016 KCCP:

Green Building. The transmittal proposes a new reference to Green Building techniques in policy U-133. The County has not yet adopted Green Building code requirements and/or encouraged standards for private development. Instead, the transmitted 2016 KCCP proposes to reference the County's "Green Building Handbook"¹⁸ in lead-in text, which the Executive has not transmitted for Council review or legislative action. In the meantime, due to staffing constraints in the Department of Permitting and Environmental Review, the timeline for adopting such Green Building requirements or standards in the code is currently unclear.¹⁹

This issue also applies to:

¹⁸ Page 2-7

¹⁹ Ordinance 14449, which adopted the 2015 Strategic Climate Action Plan (SCAP), included a "Priority Action" for the Executive to prepare proposed green building code updates for private development in unincorporated areas by the end of 2017. Proposed Ordinance 2015-0417 would authorize a \$68,000 transfer from the General Fund to DPER to provide 50 percent of the funding for a time-limited temporary staff person that would be focused on Green Building code development. The position was called for by the SCAP, which the Council adopted by motion on November 2, 2015. The Council's Budget and Fiscal Management Committee has not taken action on Proposed Ordinance 2015-0417. Given this, it is currently unclear if the 2017 timeline for transmittal of green building regulations is still achievable.

- Policy R-336a in Chapter 3, which encourages the County to adopt and implement Green Building codes that are appropriate, ambitious and achievable, and that respect and support rural character;
- Policy F-215a in Chapter 9, which encourages the County to plan to achieve net-zero greenhouse gas emissions associated with new residential and commercial buildings built in King County by 2030; and
- Policy ED-501a in Chapter 10, which calls for to promoting green and smart building practices throughout private, public and residential uses.

The Council is evaluating approaches on how to address Green Building issues in the KCCP, including potentially requiring transmittal of the Green Building Handbook for Council review and approval.

Urban facilities/School siting. In the transmittal, policy U-109 is amended to state that facilities serving urban development, such as new medical, governmental, educational, and institutional development, shall be located in the UGA. This proposed change would go further than the current school siting policies by requiring that any facilities serving any urban areas be sited in the UGA. This is more far-reaching because it would:

- Apply to facilities serving any portion of the urban areas, rather than those that “primarily” serve urban areas.
- Apply to any facilities serving urban areas, not just schools and institutions.
- Specifically require any medical and governmental development that serves any portion of the urban areas to be located in the UGA, which could imply future changes to the current code provisions that allow these uses to be sited in the rural area under certain conditions.

The Council is evaluating these proposed changes to ensure consistency with existing policies and regulations.

Approach to Rural Cities Potential Annexation Areas (PAAs). The transmitted 2016 KCCP includes revisions to several maps that propose to make a distinction between potential annexation areas: some would still be designated “PAAs” and some would now be designated “City in the Rural Area UGAs.” No policy changes have been proposed in the transmitted 2016 KCCP to address this differentiation between the two designations in the maps. Absent further direction in the Plan, the changes in the maps could imply that the PAA policies in the KCCP do not apply to the City in the Rural Area UGAs. Additionally, there are split designations for Maple Valley’s unincorporated urban areas, which may cause confusion. The Council is evaluating these proposed changes to ensure consistency with existing policies and designations.

Chapter 3 Rural Areas and Natural Resource Lands

The policies in Chapter 3 address rural residential, rural commercial, forestry, agricultural, and mineral resource areas. Policies regarding the County's approach to Cities in the Rural Area are also included in this chapter.

Update on key issues in Chapter 3 of the transmitted 2016 KCCP:

“Rural Areas” definition and usage. The definition in the glossary for “Rural Area” is proposed to be updated to clarify that it is a collective geography that includes Rural Towns, Rural Neighborhood Commercial Centers, and rural residential zoned properties. This change makes it clearer that Natural Resource lands are distinct from Rural Area lands. The terminology for “Rural Cities” is also proposed to be updated to “Cities in the Rural Area” to reflect that they are urban geographies that are located in the rural area and outside of the contiguous UGA. Where appropriate, the use of these terms is clarified throughout the transmitted 2016 KCCP; the majority of these changes can be found in Chapter 3. Staff is continuing to analyze these proposed changes to ensure consistency with existing policy intent.

Local Food Initiative. Several proposed policy changes relate to implementation of the Executive's Local Food Initiative. This initiative has not been reviewed or adopted by the Council. The Council may desire to evaluate the underlying goals of this program before adopting the proposed 2016 KCCP policy changes associated with the Local Food Initiative. Staff analysis of these proposed changes is ongoing.

ESJ integration. New language on equity and social justice is less extensive in chapters on Rural Areas and Natural Resource Lands (Chapter 3) Environment (Chapter 5), Parks, Open Space and Cultural Resources (Chapter 7), Economic Development (Chapter 10), Implementation, Amendments and Evaluation (Chapter 12) than in other chapters of in the transmitted 2016 KCCP. The Council is evaluating further integration of ESJ principles into these chapters of the Plan, including to specifically address ESJ considerations in services for rural residents in Chapter 3.

Nonresidential/urban uses in the Rural Area. Proposed changes to two policies, R-324 and R-201, would limit nonresidential uses in the rural area. The proposed changes are more limiting than existing restrictions regarding schools, institutions, and community facilities listed in R-326, which could affect the types of uses that are allowed in the Rural Area and may lead to unanticipated changes in the uses permitted outside the UGA. The Council is evaluating these proposed changes to ensure consistency with existing policies and regulations.

Farm, Fish, Flood. The transmitted 2016 KCCP does not include specific references to the Farm, Fish, Flood watershed planning process for the Snoqualmie Valley Agricultural Production District (APD), as this process was not complete as of March 1, when the proposed KCCP was transmitted. Since transmittal, the initial Farm, Fish, Flood Advisory

Committee has completed its work and the Council is now evaluating possible changes to lead-in text and to policies R-649 and R-650 that reflect the recommendations of the Advisory Committee.

Mining. The transmitted 2016 KCCP modifies policy R-689, relating to the conditions and mitigations for mining operations. Climate change is added to the list of issues which should require mitigation. Other descriptive text also includes discussion of climate change and mining resources. Executive staff have noted that the intent of these changes is to address the impact of the transport and burning of coal. However, the transmitted policy language in R-689 is not specific to coal and would apply to all mining activities, including mineral resource lands designated as having long-term commercial significance under the GMA.²⁰ Executive staff also note that the required mitigation in the policy could apply to either associated individual or cumulative impacts to global warming. It is unclear how the cumulative impacts would either be assessed or then be addressed on an individual basis. To implement this proposed policy direction, Executive staff note that the County's SEPA authority could be used to mitigate the effects of climate change by either conditioning or denying mining proposals; though, the standards for how such determinations would be made is not yet established. The Council is evaluating this proposed change as it relates to impacts to all mining activities.

Chapter 4 Housing and Human Services

Chapter 4 is a new chapter that addresses King County's regional role in promoting housing choice and opportunity, as well as regional health and human services.

Section I of this chapter covers King County's regional role in strengthening housing linkages with transportation; enforcing housing and land use regulations; coordinating regional affordable housing funding, resources, and programs; and supporting housing stability.

Section II focuses on King County's regional role in providing health and human services, with a specific focus on the County's efforts to define, build, sustain and coordinate regional service-delivery systems; to emphasize services and opportunities that are prevention-focused, strengthen resilience and may reduce needs for costlier, acute care or crisis interventions; to lead and support place-based initiatives; to address the social determinants of health and the built environment; to develop and implement mandated county-wide specialty systems; and to increase the participation in program development and delivery of residents living in communities with disproportionate outcomes.

²⁰ A required designation by RCW 36.70A.170 as a means to protect lands for extraction of minerals. Minerals, as defined by the GMA includes "gravel, sand, and valuable metallic substances" (RCW 36.70a.030). Lands designated as having "long-term commercial significance" must include the "growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land" (ibid).

Update on key issues in Chapter 4 of the transmitted 2016 KCCP:

Timing of housing policies. The transmitted 2016 KCCP includes policy language that is inconsistent with or in advance of currently adopted County housing policies. Staff anticipates that legislation may be transmitted during 2016 to address these inconsistencies related to:

- Supporting increased density, either as part of mandatory or incentive policies, particularly near high-capacity transit, or for higher-density housing styles, such as micro-housing.
- Increasing tenant protections beyond current adopted policy.
- Encouraging integration of healthy housing elements.

The Council is evaluating the timing and implementation implications of these proposed changes.

Surplus property. There are several proposed changes to how the County could handle surplus property sales within policy H-157 that may conflict with adopted policy, including:

- Expanding use of surplus property “at a discount” for affordable housing could conflict with policies dictating that funds generated from the sale of some properties must be wholly returned to the department or fund that purchased them. The Council is evaluating whether to add language such as “consistent with funding source limitations” to address this issue.
- The ability to sell property “at a discount” is also not currently clearly reflected in the King County Code. The Council is evaluating whether to clarify the relevant sections of the Code or make changes to the policy in the transmitted 2016 KCCP.
- Allowing for the discounted sale of property for “other community benefits,” which are currently undefined and would be determined through a community process. The Council is evaluating whether to clarify or define these benefits either in the 2016 KCCP or in the Code.

The Council is evaluating these proposed changes for consistency with existing surplus property funding and process requirements.

Housing policies’ relevance to non-urban King County. The housing policies of the KCCP were purposefully moved out of Chapter 2 Urban Communities and into a standalone chapter for application to both urban and rural areas. However, several policies as proposed only apply to the UGA. For example, Policy H-102 would require the County to encourage and reduce barriers to a wide range of housing, but retains 2012 language limiting this requirement to UGAs. In addition, policy H-103 proposes to remove a current reference to “Rural Towns,” leaving it to apply to UGAs only. The Council is evaluating how to approach these policies and whether to encourage a wide range of housing throughout the County in support of ESJ and other goals.

Timing of health and human services policies. In the case of health and human services initiatives for which planning is underway, staff expects legislation to be transmitted during 2016 to align with the transmitted 2016 KCCP. Specifically:

- Best Starts for Kids Implementation.
- Mental Illness and Drug Dependency (MIDD) levy renewal.
- Behavioral health integration in accordance with Second Substitute Senate Bill (2SSB) 6312.²¹

The Council is evaluating the timing and implementation implications of these proposed changes.

Board of Health healthy communities planning. Changes to two policies, H-153 and H-204, are consistent with recommendations the Board of Health has adopted to integrate health and equity into County planning and housing development. However, the Council has not yet adopted policy in these areas. Public Health and Board of Health staff note that the Board of Health materials need to be updated, but there is no plan as of yet about the mechanism for updating these materials nor for the substantive updates themselves. The Council is evaluating the timing and implementation implications of these proposed changes.

Chapter 5 Environment

The policies in Chapter 5 address the natural environment, including critical areas, endangered species, water quality, air quality, shorelines, fish and wildlife resources and habitat, non-native plant and animal species, climate change, surface water management, and monitoring and adaptive management.

Update on key issues in Chapter 5 of the transmitted 2016 KCCP:

ESJ integration. New language on equity and social justice is less extensive in chapters on Rural Areas and Natural Resource Lands (Chapter 3) Environment (Chapter 5), Parks, Open Space and Cultural Resources (Chapter 7), Economic Development (Chapter 10), Implementation, Amendments and Evaluation (Chapter 12) than in other chapters of in the transmitted 2016 KCCP. The Council is evaluating further integration of ESJ principles into these chapters of the Plan, including to specifically address environmental and climate justice in Chapter 5.

SCAP and K4C lead-in text. The transmitted 2015 KCCP has been updated to include the targets and strategies of the 2015 Strategic Climate Action Plan (SCAP). For example, the proposed changes include text that restates the commitments identified in the SCAP that are necessary to achieve King County's operational Greenhouse Gas (GHG) reduction targets. These include listing the specific targets for growing transit service,

²¹ For more information on behavioral health integration and 2015 action towards integrating mental health and substance abuse disorder purchasing, see staff report on Proposed Ordinance 2015-0405 through 2015-0408 dated November 12, 2015.

alternative fuels in County fleets, and energy use. The most significant modification to the 2012 climate related goals is the inclusion in the text of the countywide climate commitments included in the SCAP that were developed by King County and the King County Cities Climate Collaboration (K4C). These include listing the specific targets for reducing vehicle miles traveled, energy reduction, green building, and recycling countywide. Achieving these targets will require significant efforts beyond the County's control. The Council is evaluating how and whether to restate these specific goals and targets of implementation plans in the KCCP.

Wetland and groundwater protections. Policies E-425, F-475, E-481, E-483, E-497, and E-499c related to wetland and groundwater regulations, include substantive policy modifications. The Council is evaluating these changes for consistency with current federal, state, and King County Code requirements.

Failing septic systems. Policy E-499i related to strategies to address failing septic systems is proposed to be strengthened. The Council is evaluating this policy for consistency with similar policies in the Plan, such as in Chapter 9 Services, Facilities and Utilities.

Chapter 6 Shorelines

The policies in Chapter 6 comprise King County's Shoreline Master Program (SMP), which addresses the management and conservation of the shoreline jurisdiction in the county as required by RCW 90.58.

Update on key issues in Chapter 6 of the transmitted 2016 KCCP:

No issues identified.

Chapter 7 Parks, Open Space and Cultural Resources

The policies in Chapter 7 address King County's parks, recreation and open space system, as well as the County's cultural resources.

Update on key issues in Chapter 7 of the transmitted 2016 KCCP:

Open Space Plan. The Council adopted the 2016 Open Space Plan on June 27, 2016 via Ordinance 18309. Staff analysis of that plan has indicated that the 2016 Open Space Plan is consistent with both the existing (2012) Comprehensive Plan, as well as with the proposed (2016) Comprehensive Plan.

ESJ integration. New language on equity and social justice is less extensive in chapters on Rural Areas and Natural Resource Lands (Chapter 3) Environment (Chapter 5), Parks, Open Space and Cultural Resources (Chapter 7), Economic Development (Chapter 10),

Implementation, Amendments and Evaluation (Chapter 12) than in other chapters of in the transmitted 2016 KCCP. The Council is evaluating further integration of ESJ principles into these chapters of the Plan, including to specifically address the proposed removal of P-121, which required the consideration of equity in the open space system to help in the reduction of health disparities.

Chapter 8 Transportation

The policies in Chapter 8 address transportation, including unincorporated area roads, Metro Transit services, operation of Sound Transit light rail and some express buses, operation of Seattle streetcars, passenger ferries, and the King County International Airport (KCIA). For the unincorporated area, policies set Level of Service (LOS) standards and define components of the Transportation Concurrency Program and Mitigation Payment System, which are further defined in the King County Code.

Update on key issues in Chapter 8 of the transmitted 2016 KCCP:

Regional Growth Strategy. Proposed new language in policy T-231 refers to the “regional growth strategy,” but does not clearly define the meaning of this term. Lead-in text in the transmittal states that with respect to transportation, the Puget Sound Regional Council’s (PSRC) Vision 2040, Transportation 2040, and transportation-related Countywide Planning Policies “outline and support a regional growth strategy.” The Council is evaluating additional lead-in text in the Plan, such as in Chapter 1 Regional Growth Management Planning, to further clarify this term.

Air transportation. The Scoping Motion called for updating policies to support the KCIA master plan. The transmitted 2016 KCCP does not propose updates to Air Transportation policies (T-317, T-318, T-319, and T-504). The Council is evaluating possible policy language to address this issue.

Chapter 9 Services, Facilities and Utilities

The policies in Chapter 9 address the County’s role as a regional service provider, the facilities and services necessary to carry out that regional service provider role, and also information about energy and telecommunications.

Update on key issues in Chapter 9 of the transmitted 2016 KCCP:

Compliance with the Growth Management Act (GMA). Chapter 9, as transmitted, contains a number of new references to either the GMA in general or to specific elements of the GMA, some of which may not be consistent with current regulations. Specifically, a transmitted change in F-102 indicates that the GMA contemplates cities as the coordinators for the provision of local government services. This policy is located in the regional services section of Chapter 9 and, therefore, doesn’t mention the role of the

County as a local government service provider. Additionally, this language may not fully capture the potential role of special purpose districts as service providers. The Council is evaluating these GMA-related changes throughout Chapter 9.

ESJ integration. The transmittal includes significant integration of ESJ principles throughout Chapter 9. The Council is evaluating these proposed changes for possible strengthening, consistent with ESJ principles.

Utilization of existing facilities. In F-206, the transmitted 2016 KCCP would make a change that would encourage public and private service providers to make their facilities available for meeting spaces that can be accessed by the community. The Council is evaluating this policy to ensure it adequately addresses risk levels given the County's numerous specialized facilities.

Net positive environmental benefits. The transmitted 2016 KCCP includes a new policy F-215b for King County to guide practices that build and operate buildings and infrastructure that result in regenerative and net positive benefits related to energy, water, other resources and GHG emissions. It is not clear from the language whether this policy applies to County owned properties, privately owned properties, or both. A similar policy can be found in F-217c. The Council is evaluating clarifying language for these policies.

Failure to consider cost. Chapter 9, as transmitted, includes a number of policies related to environmental conservation and energy efficiency. However, policies F-217d and F-314 do not include a specific cost consideration. The Council is evaluating these policies for consideration of cost impacts.

Green building requirements for County owned projects. Consistent with the SCAP, the transmitted 2016 KCCP updates policy F-217 related to LEED certification and sustainable building requirements. The requirement for LEED Gold certification has been replaced with a requirement for LEED Platinum. Policy F-217 does not distinguish between new construction and major remodels and renovations. Currently, King County Code 18.17.020 requires new construction to plan to achieve LEED Platinum if certain cost limitations are met, whereas major remodels and renovations are to plan to achieve Gold. The Council is evaluating this proposed change for consistency with the Code.

Wastewater systems. The transmitted 2016 KCCP includes several proposed changes to wastewater policies that are unclear as currently drafted:

- In policy F-235, the transmittal requires homeowners and/or associations to ensure connection to the public water systems in a timely manner. It does not identify what duration of time is meant by "a timely manner," nor does it identify who should determine or how that duration of time is to be determined.
- In F-261, the transmittal proposes that the policy on conversion from septic to sewer be used only as a last resort. However, the language does not indicate who would determine this or how that determination of last resort is made.

- In F-262, the proposed policy amendment would require lot consolidation as a precondition to getting approval to establish a collective on-site system. It does not define, nor does it identify an agency or standard to be used, in determining how it will be known whether the required consolidation has been completed.
- In F-264, the proposed policy amendment would limit rural area connection to the sewer system to areas where septic or other on-site methods has been determined not to be feasible. The policy does not indicate a process or agency in charge of making that determination.

The Council is evaluating these policies for potential clarification.

Chapter 10 Economic Development

The policies in Chapter 10 address economic development, including general policies, business development, workforce development, infrastructure, sustainable development in the private sector, and the rural economy.

Update on key issues in Chapter 10 of the transmitted 2016 KCCP:

ESJ integration. New language on equity and social justice is less extensive in chapters on Rural Areas and Natural Resource Lands (Chapter 3) Environment (Chapter 5), Parks, Open Space and Cultural Resources (Chapter 7), Economic Development (Chapter 10), Implementation, Amendments and Evaluation (Chapter 12) than in other chapters of in the transmitted 2016 KCCP. The Council is evaluating further integration of ESJ principles into these chapters of the Plan, including to specifically address equity in economic development programs and policies in Chapter 10.

Local Food Initiative. Several policy changes relate to implementation of the Executive's Local Food Initiative. This initiative has not been reviewed or adopted by the Council. The Council is evaluating ways to review the underlying goals of this program before adopting the proposed 2016 KCCP policy changes. Staff analysis of these proposed changes is ongoing.

Nonresidential/urban uses in the Rural Area. Proposed changes to infrastructure development policies, ED-401 and ED-404, more clearly state the County's support for infrastructure and facilities related to economic development that are consistent²² with the locations in which they are sited. These changes appear to relate to other proposed changes elsewhere in the Plan,²³ which further limit siting urban or largely urban serving uses or facilities in the rural area. The Council is evaluating these proposed changes to ensure consistency with existing policies and regulations.

²² Consistency is related to size, scale, adjacent land uses, and applicable policy restrictions regarding where the uses are allowed to be sited.

²³ Such as noted in the Chapter 3 staff report related to policies R-324 and R-201.

Rural Economic Strategies (RES). The existing and amended policies in the transmitted 2016 KCCP are not inconsistent with the 2013 RES Plan²⁴ policies. However, the Scoping Motion called for advancing the RES strategies and policy direction in the 2016 KCCP. The transmitted 2016 KCCP includes new language in ED-603 about the importance of food and forest processing in the regional economy and a new policy ED-606 calling for economic analysis and development of the local food system. However, the other policy issues in the 2013 RES Plan are not addressed.²⁵ The Council is evaluating Chapter 10, including policy ED-602, for potential refinement consistent with the 2013 RES Plan.

Place-based workforce training. The Scoping Motion called for considering inclusion of “policies for place-based workforce training strategies in communities with education and opportunity challenges.” None of the policies directly call for place-based workforce training. The Council is evaluating potential inclusion of policy language to address this in Chapter 10.

Chapter 11 Community Service Area Planning

The policies in Chapter 11 of the transmitted 2016 KCCP address unincorporated area community plans that have been incorporated into the KCCP.

Update on key issues in Chapter 11 of the transmitted 2016 KCCP:

Community plans cleanup. The transmittal proposes to update the existing community plans in the KCCP by amending or removing policies the Executive had originally identified as outdated. The Council is evaluating whether any substantive amendments to the Community Plans should wait for the subarea planning process for each of the geographies to be complete.

Chapter 12 Implementation, Amendments and Evaluation

The policies in Chapter 12 outline how the policies of the KCCP should be implemented and monitored; how and when to amend the KCCP; and the role of land use zoning in the planning process.

Update on key issues in Chapter 12 of the transmitted 2016 KCCP:

ESJ integration. New language on equity and social justice is less extensive in chapters on Rural Areas and Natural Resource Lands (Chapter 3) Environment (Chapter 5), Parks,

²⁴ Ordinance 17956, adopted by the Council in 2014.

²⁵ Such as additional revenues and/or resources to support infrastructure (ranging from roads to data transmission technology), economic development in rural and resource areas, and emphasis on potential home based business development.

Open Space and Cultural Resources (Chapter 7), Economic Development (Chapter 10), Implementation, Amendments and Evaluation (Chapter 12) than in other chapters of in the transmitted 2016 KCCP. The Council is evaluating further integration of ESJ principles into these chapters of the Plan, including to specifically address incentives for areas of the county with the most disparate outcomes in health and housing in Chapter 12.

Mining site conversion demonstration project. Policy I-203 is proposed to be amended to remove the option to consider policy or land use changes related to a mining site conversion demonstration project as part of the annual KCCP amendment cycle. This allowance was originally added to the KCCP by the Council in 2012. Since 2012, no ordinance for such a demonstration project has been transmitted by the Executive or introduced by the Council. However, since transmittal of the 2016 KCCP, a mining site property owner that is impacted by this proposed policy change has since come forward indicating that work on a demonstration project proposal is ongoing and requested that the annual cycle allowance in I-203 be maintained.²⁶ Conversely, the Council has also received public comments from residents and community groups that have indicated support for the Executive's proposed removal of the allowance. The Council is evaluating how to move forward with this policy in this context.

Benchmark Program/Performance Measures Program. The transmitted 2016 KCCP removes references to the County's Benchmark Program, which implements the monitoring and evaluation of achieving the Regional Growth Strategy as required by KCCP policy I-203 and Countywide Planning Policy (CPP) G-2. This is proposed to be addressed in the Workplan through creation of a new Performance Measures Program in 2017 that will then be implemented in 2018. The Council is evaluating whether to clarify the benchmarking standards in the meantime.

Workplan clarity. The transmitted 2016 KCCP proposes a new format for the Workplan by including it in the Plan itself instead of in the underlying adopting ordinance. In previous KCCP updates, the Workplan items that were included in the adopting ordinance included very specific deadlines and reporting requirements for each item; for example:²⁷

“The report required by this subsection shall be transmitted to the council by June 1, 2013. The report must be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers and to the lead staff for the transportation, economy and environment committee, or its successor.”

The transmitted 2016 Work Program, as proposed, includes less specific language; for example:²⁸

- *Timeline:* 2018; one-year process

²⁶ Representatives of the Reserve Silica mining site provided public testimony at the March 15, 2016 TrEE meeting and at the April 6 Committee of the Whole meeting.

²⁷ From the 2012 KCCP (Ordinance 17485, Section 50, A)

²⁸ From 2016 Workplan item for the Four-to-One Program

- *Outcomes:* County-led and consultant supported task force, feasibility report and final report.
- *Leads:* Office of Performance Strategy and Budget, Department of Natural Resources and Parks.

As currently written, it is unclear when, how, or if the Council would receive copies of the report in this example. This format is consistent across the majority of the Workplan items proposed in the transmitted 2016 KCCP. The Council is evaluating whether to add more direction on the timelines, outcomes, and reporting requirements for the 2016 Workplan items.

<p>Proposed Ordinance 2016-0155 and Development Code Proposals</p>

Proposed Ordinance 2016-0155 adopts the 2016 KCCP, as well as associated code amendments. This portion of the staff report reviews the code changes in the Proposed Ordinance, as well as the development code proposals called for in the Scoping Motion.

Update on key issues in Proposed Ordinance 2016-0155:

Agricultural Uses. The changes in the Proposed Ordinance include several policy considerations the Council has been reviewing, including:

- whether the inclusion of new, broad uses within the existing permitted use table structure is appropriate;
- whether these new uses should be allowed in the zoning districts shown, or whether they should be allowed in other zones (such as the Urban Reserve zone, as currently allowed in the Code);
- whether the proposed development conditions for the new uses are adequate;
- whether the requirement that 60 percent of products be grown or processed in Puget Sound counties, proposed to be retained and expanded in the Proposed Ordinance, is appropriate;
- whether the language for the new administrative review process proposed to allow increases to the square footage allowed for some "Agricultural Activities" and to approve "Agricultural Support Services" is clear enough; and
- whether the proposed changes have unintended impacts on other requirements of the County's development regulations, such as the landscaping and parking standards.

The Council is evaluating these issues for possible refinement as part of the 2016 KCCP.

Winery Study. The Executive is currently conducting a study regarding the wineries in the Sammamish Valley APD area, and intends to make recommendations on policy and code changes later this summer for possible inclusion in the 2016 KCCP. When the study is complete, the Council will evaluate how to incorporate the recommended policy and code changes into the 2016 KCCP update.

Development Code Proposals. The Scoping Motion included direction for six development code proposals. In response to this direction, the Executive completed development code studies for these six items , which are summarized in Table 1. The Proposed Ordinance includes code changes for items 1 and 5, both related to the agricultural land policy and agricultural use permitted uses. Item 3, regarding micro-housing and similar uses, was recommended for approval by its development code study, but no code changes were included in the Proposed Ordinance, nor as part of a separate ordinance. The Council is evaluating whether to include any code changes related to the non-included and/or non-recommended code proposals from the Scoping Motion in this Ordinance.

Table 1 – Summary of Development Code Study Items Identified by Scoping Motion

Item #	Proposal in Scoping Motion	Executive Recommendation	Location in PO 2016-0155
1	Code amendments for agricultural supportive and dependent uses to support viable and sustainable agricultural products.	Significant changes in Title 21A addressed above. Conduct a winery study in the Sammamish APD and surrounding area, to be completed in summer 2016. Incorporate recommendations in the 2016 KCCP at that time.	Throughout
2	Code flexibility for alternative temporary lodging, such as treehouses and structures associated with re-creations of historic communities.	Code amendments not recommended. Instead, use existing procedures in the Building Code for "alternative methods and materials."	N/A

Item #	Proposal in Scoping Motion	Executive Recommendation	Location in PO 2016-0155
3	Consider code flexibility for alternative housing models, such as micro-housing.	<p>Add a definition, zoning allowance, and building code templates for micro-housing, as well as tiny houses, recreational vehicles, and apodments.</p> <p>These recommendations were not included in PO 2016-0155. Executive staff report that the recommendations in the development code study were not final, and that departments continue to review what appropriate regulations should be proposed to Council.</p>	N/A
4	Code changes regarding ingress/egress for new plat proposals, including space needed for traffic queuing.	Do not change Title 21A or the King County Road Standards.	N/A
5	Consolidate code sections related to agricultural lands policy.	Repeal most of K.C.C. 20.54, repeal K.C.C. 26.08, amendment Title 21A to make agricultural use tables more consistent with agricultural lands policies.	Section 7 – 19, Section 37
6	Code changes to allow extensions for preliminary plat approvals.	<p>Do not change the code to allow for any extensions to preliminary plats.</p> <p>If the Council determines an amendment is necessary, limit to one-time for one year.</p>	N/A

<p style="text-align: center;">Proposed Ordinance 2016-0159 Real Property Asset Management Plan</p>

Consistency with the Scoping Motion

Real Property Asset Management Plan (RAMP). The RAMP is a policy guidance document for the management of King County real property assets for which the Facilities Management Division (FMD) is responsible. It addresses space standards, current and future space needs, a policy framework regarding County facility development, and the County facility planning work program.

The King County Code²⁹ currently requires the RAMP to be included as a part of Technical Appendix A and as a component to the Comprehensive Plan. On March 1, the Executive transmitted the 2016 RAMP as a proposed ordinance (Proposed Ordinance 2016-0159) that is separate from the 2016 KCCP (Proposed Ordinance 2016-0155). The GMA and the County Code require Comprehensive Plan amendments to be considered and adopted through a consolidated process. With regard to the RAMP, the Council has been considering the separate RAMP ordinance as part of the same process as the 2016 KCCP ordinance.

Update on key issues in Proposed Ordinance 2016-0159:

Connection to KCCP. While the County Code currently requires that the 2016 RAMP must be adopted concurrently with the Comprehensive Plan, the RAMP is more of an internal, strategic and operational plan than a growth management related document. As such, there is an option to decouple future RAMPs from the Comprehensive Plan. Because the RAMP is itself an integrated document, the split should be made wholesale rather than piecemeal (i.e., it is not practical to pick-and-choose specific sections of the RAMP to be retained within the Comprehensive Plan), though some high-level policy language may need to be integrated into Chapter 9 Services, Facilities and Utilities to provide general policy direction to the RAMP. The Council is evaluating how this could most efficiently be accomplished should the Council pursue this option.

Level of detail. The 2016 RAMP (and previous RAMPs) includes point-in-time information on the County's real property assets. The Council may wish to consider the long-term nature of the RAMP and how that may impact what Councilmembers wish to see in the RAMP, i.e., whether the inclusion of near-term projects is valuable in a document updated on a four-year cycle. In the 2016 RAMP, for example, detailed discussions of planned near-term moves in the Chinook Building and King Street Center are included; these projects are likely to be completed prior to 2020, when the next RAMP would be adopted. In order to better calibrate the timing of transmitted information to opportunities for feedback and re-direction, the Council may wish to require more frequent updates on near- and long-term space planning efforts (for example, in an annual report to Council, distinct from the RAMP).

²⁹ K.C.C. 20.12.100

The Council is evaluating how this could most efficiently be accomplished should the Council pursue this option.

Strategic facility planning. The 2016 RAMP proposes seven “Policy Implementation Strategies” or initiatives to address issues and meet policy objectives presented in the RAMP’s Facility Management Policies. Per Executive staff, this list of strategic initiatives reflects the fact that strategic planning is now carried out on an *ad hoc* basis with the existing staff supporting FMD operations and related operational strategies. These efforts are different in nature and required skill sets and experience from long-term strategic facility planning such as the Civic Campus master plan concept, which are not addressed in any detail in the 2016 RAMP. The Council is evaluating whether to address long-term strategic facility planning in the RAMP ongoing, or to continue to direct such planning on a project-specific basis.

ATTACHMENTS

1. 2016 KCCP Schedule, updated as of August 10, 2016
2. Frequently Used Acronyms
3. Public comments, updated as of August 10, 2016

LINKS

Proposed Ordinance 2016-0155, the underlying ordinance for the proposed 2016 KCCP, can be found at:

<http://mkcclegisearch.kingcounty.gov/LegislationDetail.aspx?ID=2594294&GUID=050D99B0-CE2F-4349-BD0D-46D46F673458&Options=ID%7cText%7c&Search=2016-0155>

The Council’s Scoping Motion, Motion 14351, can be found at:

<http://mkcclegisearch.kingcounty.gov/LegislationDetail.aspx?ID=2233471&GUID=8A16CDC8-8A9A-455D-A9E6-00CF10E055A9&Options=ID|Text|&Search=2015-0104>

All components of the proposed 2016 KCCP can be found at:

<http://www.kingcounty.gov/council/2016compplan/transmittal.aspx>

These components include:

- Proposed Ordinance 2016-0155
- 2016 KCCP
- Land Use and Zoning Changes
- Appendix A: Capital Facilities
- Appendix B: Housing
- Appendix C: Transportation
- Appendix C1: Transportation Needs Report
- Appendix C2: Regional Trails Needs Report
- Appendix D: Growth Targets and the Urban Growth Area
- Appendix R: Public Outreach for Development of KCCP
- Attachment: Skyway-West Hill Action Plan
- Attachment: Area Zoning Studies
- Attachment: Development Code Studies
- Attachment: Policy Amendment Analysis Matrix
- Attachment: Public Participation Report

INVITED

- Ivan Miller, KCCP Manager, Performance, Strategy and Budget

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King County Council
Schedule for 2016 King County Comprehensive Plan
(As of 8/10/16, Subject to change)

March 1	Transmittal of King County Executive's proposed 2016 King County Comprehensive Plan.
March 15 9:30 a.m.	Briefing in Transportation, Economy and Environment Committee. Anticipated topics (subject to change): <ul style="list-style-type: none"> • <i>Committee review process overview</i> • <i>Land use proposals/Area Zoning Studies</i> • <i>Chapter 11 Community Service Area Planning</i> • <i>Chapter 12 Implementation, Appendix D Growth Targets</i> Opportunity for public comment
April 6 6:30 p.m.	Committee of the Whole Town Hall - Special Evening Meeting Location: Gracie Hansen Community Center at Ravensdale Park (Rock Creek Sports) - 27132 SE Ravensdale Way, Ravensdale WA Opportunity for public comment on proposed 2016 Comprehensive Plan
May 3 9:30 a.m.	Briefing in Transportation, Economy and Environment Committee. Anticipated topics (subject to change): <ul style="list-style-type: none"> • <i>Chapter 1 Regional Planning</i> • <i>Chapter 3 Rural Area and Natural Resource Lands</i> • <i>Chapter 8 Transportation, Appendix C Transportation, C1 Transportation Needs Report</i> • <i>Chapter 10 Economic Development</i> • <i>Development code updates (Proposed Ordinance 2016-0155)</i> Opportunity for public comment
May 17 9:30 a.m.	Briefing in Transportation, Economy and Environment Committee. Anticipated topics (subject to change): <ul style="list-style-type: none"> • <i>Chapter 2 Urban Communities</i> Opportunity for public comment
May 31 9:30 a.m.	Briefing in Transportation, Economy and Environment Committee. Anticipated topics (subject to change): <ul style="list-style-type: none"> • <i>Chapter 4 Housing and Human Services, Appendix B Housing</i> Opportunity for public comment
June 7 9:30 a.m.	Briefing in Transportation, Economy and Environment Committee. Anticipated topics (subject to change): <ul style="list-style-type: none"> • <i>Chapter 7 Parks, Open Space and Cultural Resources, Appendix C2 – Regional Trail Needs Report</i> Opportunity for public comment
June 21 9:30 a.m.	Briefing in Transportation, Economy and Environment Committee. Anticipated topics (subject to change): <ul style="list-style-type: none"> • <i>Chapter 5 Environment</i> • <i>Chapter 6 Shorelines</i> Opportunity for public comment

June 28 9:30 a.m.	Briefing in Transportation, Economy and Environment Committee. Anticipated topics (subject to change): <ul style="list-style-type: none"> • <i>Climate Change (all chapters)</i> • <i>Equity and Social Justice (all chapters)</i> Opportunity for public comment
July 5 10:30 a.m.	Briefing in Transportation, Economy and Environment Committee. Anticipated topics (subject to change): <ul style="list-style-type: none"> • <i>Chapter 9 Services, Facilities and Utilities, Appendix A – Capital Facilities</i> • <i>Real Property Asset Management Plan (Proposed Ordinance 2016-0159)</i> Opportunity for public comment
August 16 9:30 a.m.	Briefing in Transportation, Economy and Environment Committee. Anticipated topics (subject to change): <ul style="list-style-type: none"> • <i>Follow up on identified issues in:</i> <ul style="list-style-type: none"> ○ <i>All Chapters in the 2016 Comprehensive Plan</i> ○ <i>Development code updates (Proposed Ordinance 2016-0155)</i> ○ <i>Real Property Asset Management Plan (Proposed Ordinance 2016-0159)</i> Opportunity for public comment
August 24 1:30 p.m.	Briefing in Special Transportation, Economy and Environment Committee. Anticipated topics (subject to change): <ul style="list-style-type: none"> • <i>Follow up on land use proposals</i> Opportunity for public comment
September 6 9:30 a.m.	Briefing in Transportation, Economy and Environment Committee. Anticipated topics (subject to change): <ul style="list-style-type: none"> • <i>Chair's Striking Amendment</i> Opportunity for public comment
September 20 9:30 a.m.	Possible vote in Transportation, Economy and Environment Committee <ul style="list-style-type: none"> • <i>Includes consideration of possible amendments</i> Opportunity for public comment
November 28 Time TBD	Anticipated public hearing at full Council Opportunity for public comment
December 5 Time TBD	Possible vote at full Council <ul style="list-style-type: none"> • <i>Includes consideration of possible amendments</i>

Unless otherwise noted, all meetings will take place in the Council Chambers on the 10th Floor of the King County Courthouse, at 516 3rd Ave, Seattle WA.

2016 King County Comprehensive Plan Frequently Used Acronyms

APD	Agricultural Production District
CIP	Capital Improvement Program
CPP	Countywide Planning Policy
ESA	Endangered Species Act
FCC	Fully Contained Community
FPD	Forest Production District
GMA	Growth Management Act
GMPC	Growth Management Planning Council
HOT	High Occupancy Toll
HOV	High Occupancy Vehicle
ITS	Intelligent Transportation Systems
KCCP	King County Comprehensive Plan
KCSP	King County Strategic Plan
LID	Low Impact Development
LOS	Level of Service
LSRA	Locally Significant Resource Area
MPP	Multi-county Planning Policies
MPS	Mitigation Payment System
PAA	Potential Annexation Area
PBRs	Public Benefit Rating System
PSRC	Puget Sound Regional Council
RSRA	Regionally Significant Resource Area
RWSP	Regional Wastewater Services Plan
SCAP	Strategic Climate Action Plan
SPPT	Strategic Plan for Public Transportation
SPRS	Strategic Plan for Road Services
SEPA	State Environmental Policy Act
TAM	Transportation Adequacy Measure
TDR	Transfer of Development Rights
TDM	Transportation Demand Management
TNR	Transportation Needs Report
TOD	Transit Oriented Development
UGA	Urban Growth Area
UGB	Urban Growth Boundary
UPD	Urban Planned Development
UTRC	Utilities Technical Review Committee

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Denis Law Mayor

July 12, 2016

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

Dear Council Chair McDermott:

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

U-126 King County, when evaluating rezone requests for increases in density, shall ~~work with~~ notify the city whose PAA includes the property under review; if a pre-annexation agreement exists, King County shall work with the city to ensure compatibility with the city's pre-annexation zoning for the area. King County shall also notify special purpose districts and local providers of urban utility services and should work with these service providers on issues raised by the proposal.

U-208 King County ~~shall consider initiating new subarea~~ will engage in joint planning processes for the urban unincorporated areas ~~to assess the feasibility of in~~ tandem with the annexing city upon a commitment from the city to annex through an interlocal agreement. Such planning may consider land use tools such as:

- a. Traditional subarea plans or areawide rezoning;
- b. Allowing additional commercial, industrial and high density residential development through the application of new zoning;
- c. Transfers of Development Rights that add units to new development projects; and
- d. Application of collaborative and innovative approaches
King County will work through the Growth Management Planning Council to develop a plan to move the remaining unincorporated potential annexation areas toward annexation.

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

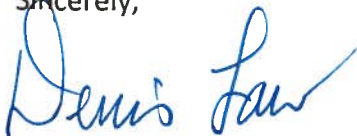
July 12, 2016

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

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

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

Sincerely,



Denis Law
Mayor



Randy Corman
Renton Council President

DL:aa

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

From: [Jensen, Christine](#)
To: [CouncilCompPlan](#)
Subject: FW: WRITTEN COMMENTS (ENVIR & ECON-RELATED, & FULL SET)--2016 KCCP UPDATE
Date: Tuesday, July 12, 2016 11:56:57 AM
Attachments: [Cvr_Ltr--GMVUAC_Comments--KCCP_Upd.doc](#)
[GMVUAC_Comments--Envir.doc](#)
[GMVUAC_Comments--Econ.doc](#)
[GMVUAC_Comments--KCCP_Update.doc](#)

Christine Jensen

Principal Legislative Analyst | King County Council

516 Third Ave, Room 1200 | Seattle, WA 98104

206.477.5702 | christine.jensen@kingcounty.gov

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

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

From: Peter Rimbos [<mailto:primbos@comcast.net>]
Sent: Tuesday, July 12, 2016 10:06 AM
To: Dembowski, Rod <Rod.Dembowski@kingcounty.gov>; Balducci, Claudia <Claudia.Balducci@kingcounty.gov>; Lambert, Kathy <Kathy.Lambert@kingcounty.gov>; Kohl-Welles, Jeanne <Jeanne.Kohl-Welles@kingcounty.gov>; McDermott, Joe <Joe.McDermott@kingcounty.gov>; Upthegrove, Dave <Dave.Upthegrove@kingcounty.gov>; von Reichbauer, Pete <Pete.vonReichbauer@kingcounty.gov>
Cc: Dunn, Reagan <Reagan.Dunn@kingcounty.gov>; Gossett, Larry <Larry.Gossett@kingcounty.gov>; Jensen, Christine <Christine.Jensen@kingcounty.gov>; Miller, Ivan <Ivan.Miller@kingcounty.gov>; Wolf, Karen <Karen.Wolf@kingcounty.gov>; Painter, Alan <Alan.Painter@kingcounty.gov>
Subject: WRITTEN COMMENTS (ENVIR & ECON-RELATED, & FULL SET)--2016 KCCP UPDATE

KC Council TrEE Committee Chair Dembowski and Members,

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

Thank you.

Peter Rimbos
Corresponding Secretary
Greater Maple Valley Unincorporated Area Council (GMVUAC)
primbos@comcast.net

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

Please consider our shared environment before printing.

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

July 12, 2016

To: King County Council TrEE Committee

Re: 2016 KCCP Update

Chairman Dembowski,

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

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

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

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

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

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

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

Sincerely,

Steve Hiester
Chairman, Greater Maple Valley Unincorporated Area Council

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

Chapters

CHAPTER 1—REGIONAL PLANNING

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

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

CHAPTER 2—URBAN COMMUNITIES

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

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

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

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

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

3. **U-207**

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

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

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

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

CHAPTER 3—RURAL AREA AND NATURAL RESOURCE LANDS

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

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

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

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

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

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

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

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

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

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

CONCERNS: We have two major concerns:

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

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

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

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

5. **COMMENT:** Following R-309 regarding the RA-2.5 zone, there needs to be more specifics related to the RA-5 zone, especially as related to private wells.
CONCERN: The King County Board of Health Code's Title 13's references to the "1972" cutoff and "5-acre" minimums (13.04.070 Domestic water supply

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

RECOMMENDATION: Add a new Policy as follows:

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

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

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

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

RECOMMENDATION: We strongly support the addition to item a.

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

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

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

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

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

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

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

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

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

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

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

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

9. VI. Resource Lands / E. Mineral Resources

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

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

CHAPTER 4—HOUSING AND HUMAN SERVICES (No review)

CHAPTER 5—ENVIRONMENT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6. C. Achieving the Open Space System / Priorities

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

CHAPTER 6—SHORELINE MASTER PROGRAM (No review)

CHAPTER 7—PARKS, OPEN SPACE, & CULTURAL RESOURCES

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

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

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

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

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

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

CHAPTER 8—TRANSPORTATION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CHAPTER 9—SERVICES, FACILITIES, & UTILITIES

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

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

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

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

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

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

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CHAPTER 10--ECONOMIC DEVELOPMENT

1. Overarching comments:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CHAPTER 11—COMMUNITY SERVICE AREA PLANNING (No comments)

CHAPTER 12— IMPLEMENTATION

1. I-203 Item b.

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

Technical Appendices

Land-Use and Zoning Amendments (No comments.)

Technical Appendix A—CAPITAL FACILITIES (No review.)

Technical Appendix B—HOUSING (No review.)

Technical Appendix C—TRANSPORTATION (No comments.)

Technical Appendix C1—TRANSPORTATION NEEDS REPORT (TNR)

1. **CONCERN:**

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

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

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

RECOMMENDATION:

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

RCW 43.62 -- DETERMINATION OF POPULATIONS -- STUDENT ENROLLMENTS

43.62.035 -- Determining population -- Projections

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

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

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

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

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

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

Attachments

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

Attachment—AREA ZONING STUDIES

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

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

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

Attachment--DEVELOPMENT CODE STUDIES

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

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

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

“21A.06 TECHNICAL TERMS AND LAND USE DEFINITIONS

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

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

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

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

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

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

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

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

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

Attachment—POLICY AMENDMENT ANALYSIS MATRIX (No comments)

Attachment—PUBLIC PARTICIPATION REPORT (No comments)

Environment-related Comments on Proposed 2016 KCCP Update

Chapters

CHAPTER 5—ENVIRONMENT

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

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

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

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

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

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

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

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

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

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

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

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

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

Environment-related Comments on Proposed 2016 KCCP Update

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

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

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

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

6. C. Achieving the Open Space System / Priorities

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

CHAPTER 6—SHORELINE MASTER PROGRAM (No review)

CHAPTER 7—PARKS, OPEN SPACE, & CULTURAL RESOURCES

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

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

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

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

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

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

Environment-related Comments on Proposed 2016 KCCP Update

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

Economic-related Comments on Proposed 2016 KCCP Update

Chapters

CHAPTER 3—RURAL AREA AND NATURAL RESOURCE LANDS

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

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

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

CHAPTER 10--ECONOMIC DEVELOPMENT

1. Overarching comments:

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

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

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

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

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

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

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

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

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

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

Economic-related Comments on Proposed 2016 KCCP Update

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

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

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

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

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



GREEN VALLEY/LAKE HOLM ASSOCIATION

August 6, 2016

To: King County Council

CC:

Ivan Miller - Comprehensive Planning Manager

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

Alan Painter - Manager of the Community Service Area

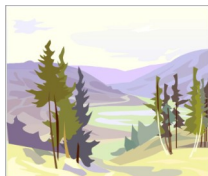
Subject: 2016 update to King County Comprehensive Plan, Chapter 5, E497

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

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

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

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



GREEN VALLEY/LAKE HOLM ASSOCIATION

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

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

September 24, 2014

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

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

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

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

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

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

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

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

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

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

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

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

RESOLUTION NO. 483

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

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

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

WHEREAS, agricultural land is a nonrenewable resource; and

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

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

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

WHEREAS, Washington has lost more than a million acres of farmland between 1997 and 2012 (https://www.agcensus.usda.gov/Publications/2012/Full_Report/Volume_1,_Chapter_1_State_Level/Washington/st53_1_001_001.pdf); and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

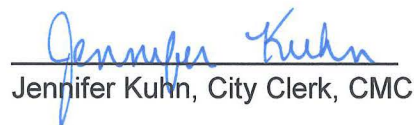
No public transit serves Woodinville's wine districts. This forces tourists to visit by private vehicles, causing even more demand for parking than most commercial districts experience. Woodinville receives many requests by tourist-oriented business owners for transit service. We are grateful for Metro's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

RESOLVED this 2nd day of August 2016.



Bernard W. Talmas, Mayor

ATTEST/AUTHENTICATED:



Jennifer Kuhn, City Clerk, CMC

Summary of Available/Recently Sold Property
In Woodinville Wine Country

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

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

THE ROOT CONNECTION CSA
13607 Woodinville-Redmond Rd NE
PO Box 267
Woodinville Wa 98072
www.rootconnection.com

December 18, 2011

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

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

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

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

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

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

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

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

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

Respectfully,

Claire Thomas

President, Roots of Our Times Cooperative

King County agricultural buffer

SO-120: Agricultural Production Buffer SDO

Summary

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

Story

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

Description

Agricultural Production Buffer SDO

Development Condition Text

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

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

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

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

Washington Growth Management Act

RCW 36.70A.020

Planning goals.

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

. . .

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

King County Countywide Planning Policies

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

King County Countywide Planning Policies

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

King County Countywide Planning Policies

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

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

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

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

Woodinville Buildable Lands Inventory

WOODINVILLE COMPREHENSIVE PLAN UPDATE | EXISTING CONDITIONS INVENTORY

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

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

Source: City of Woodinville, 2013; BERK, 2014

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

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

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

Woodinville Comprehensive Plan, Vision Statement

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

Mike Tanksley to John Starbard, 18 Feb 2016

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

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

>

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

>

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

>

> Thanks,

> MT

>

>

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

>

> Michael:

>

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

>

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

>

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

>

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

>

> John Starbard, Director
> King County
> Department of Permitting and Environmental Review
> 35030 S.E. Douglas Street, Suite 210
> Snoqualmie, WA 98065
> Phone: (206) 477-0382
>
>
> -----Original Message-----
> From: Michael Tanksley [mailto:wmtanksley@comcast.net]
> Sent: Tuesday, February 16, 2016 4:32 PM
> To: Starbard, John
> Subject: Re: code enforcement reform status
>
> John,
>
> That's good news. We would be interested in providing some input to the firm once they are ready to start work.
>
> One point in particular that may merit discussion within DPER as well as with the consulting firm:
>
> There must be a recognized differentiation between "customers" and "violators".
>
> In an effort to be kinder and gentler, KC code enforcement (CE) harbors a culture that defines all violators as "customers". Unfortunately, this sometimes leads to a relationship where CE ends up abetting an activity that is in violation of the code.
>
> While there are certainly cases where it is appropriate for DPER to work with willing property or business owners to bring their activities into compliance with our laws (and who might appropriately be referred to as "customers"), there is another side where underlying zoning and codes simply do not allow certain activities or where violators refuse to adjust their activities to comply with the law.
>
> Interests that willfully violate our laws need to know they will face an effective and swift law enforcement mechanism if they continue their violations. These violators should not be referred to, nor perceived as, "customers".
>
> Put another way, the majority of our communities are composed of law-abiding citizens. We need for our rights to be upheld against those who are willing to trample on them in pursuit of their own narrow interests.
>
> This will require a culture change along with policy changes within the department.
>

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

- > Any information that you might provide would be helpful.
- >
- > Thank you.
- >
- > Michael Tanksley