

October 2014 Meeting Minutes

Roll Call

Steve Hiester, Peter Rimbo (Proxy for Les Dawson), Lorraine Blacklock (Proxy for Craig Duckering), Rhys Sterling (Proxy for Nikki Long), Warren Iverson, Tara Mahoney, Sue Neuner, Susan Harvey, all present. Todd Mitchell absent

Motion made by Warren Iverson, seconded by Peter Rimbo that the Agenda be approved; motion unanimously approved.

Public Comment: Several members commented on the proposed Marijuana Processing and Production Facilities planned on 6 1/2 acres in the Rural Area just northwest of SR-18, west of Maple Valley, and north of Covington. Many comments centered on King County's approval of "Innocent Purchaser" status for the Applicant, Maple Valley Industries, LLC. "Innocent Purchaser" status affects legality of lot and that it may not have been properly subdivided and sold.

Several citizens mentioned the Applicant knowingly knew it was not a legal lot when purchased from the State Department of Transportation. One member of the Public stated a letter bearing such proof recently was sent by concerned citizens to John Starbard, Director of King County's Department of Permitting and Environmental Review (DPER). A response has yet to be received.

Train Show

Steve Hiester led the discussion about train show staffing and mentioned that he would be sending out a schedule for time commitments. Everyone needs to step up and volunteer to help as their schedule allows. More help is needed for setup and tear down/cleanup.

JTI meeting Review

The Council discussed the Joint Transportation Initiative meeting held at the KC Library Administration Building on September 16, from 7 -9 pm. There was a great turnout. State Legislators, the Puget Sound Regional Council, King County Council members, and King County Department of Transportation officials attended along with 3 other KC Unincorporated Area Councils. The discussion was civil and very constructive with many options discussed that can help the future of our transportation issues. Hopefully, the bridge of constructive discussion that has been built will bear fruit in the future laws and policies that are passed in future legislative sessions. Traffic Concurrency and the present funding model for transportation has to change in order for our present and future transportation problems to be solved.

Proposed Marijuana Facilities

Area Council Growth Management Committee members discussed their review of the entire proposed Marijuana Processing and Production Facilities Project File located at King County DPER. The focus was to ascertain answers on what is possibly the most critical question: Vesting.

Three Vesting concerns were discussed. Firstly, since King County DPER insists its finding the Commercial Site Development Permit Application as "complete" confers Vesting for all future permit applications, no further State Environmental Policy Act (SEPA) review will be required.

Secondly, although a recent King County Council July Ordinance vastly reduced the building footprint threshold before a Conditional-Use Permit (CUP) is required (30,000 sq ft vs. 2,000 sq ft), if the Applicant was already considered Vested, then a CUP will not be required.

Finally, applications for future Building Permits should not be approved until the King County Council's recently passed one-year Moratorium on Unincorporated Area isolated industrial parcels expires or is lifted, but prior Vesting of the Applicant would trump this. Consequently, for at least this property, what King County decides about the future of Unincorporated Area isolated Industrial parcels will not matter.

Area Council members discussed specific provisions relating to Vesting upon application for a building permit that exist in both State Code (RCW 19.27.095) and King County Code (20.20.070(c)). Also discussed were three recent Court cases decided by the State Supreme Court and two Appeals Courts, all ruling vesting can only be conferred at the building permit stage.

Area Council members also discussed King County DPER's October 3 "Technical Review" letter to the Applicant regarding its Commercial Site Development Permit application. DPER has included 69 Comments categorized under the following Issues: SEPA/Zoning, Traffic, Site Drainage, Wetlands, Geotechnical, and Fire.

From an initial look, it appears DPER has expressed some serious issues with road access and safety, as well as inadequate buffers for identified wetlands. DPER has given the Applicant 60 days until December 4 to "submit corrected plans." During that timeframe the Area Council will conduct a thorough review to ascertain if DPER's comments cover all the issues and will forward comments to DPER accordingly.

Grants

Tara Mahoney brought up the need to prepare applications for 2015 KC grants. The filing date is fast approaching so get your project applications together and get them submitted by December, 2014.

Meeting adjourned unanimously!