

July 2010 Meeting Summary

King County Code Changes

By Peter Rimbos, Corresponding Secretary

On Monday, July 12, the Greater Maple Valley Unincorporated Area Council held its regular monthly meeting. Several major topics discussed were: (1) Joint UAC Forum; (2) Black Diamond MPDs, and (3) King County Code Change Recommendations.

Your Area Council serves as an all-volunteer, locally elected advisory body to the King County Council representing all rural unincorporated area residents living in the Tahoma School District.

Joint UAC Forum

The Area Council will co-host the Annual Joint Unincorporated Area Council Forum. This forum brings together the King County Executive, King County Department Directors and key staff members, all UAC Chairs, and citizens to discuss both common and unique issues faced by the UACs and their citizens.

Executive Constantine will speak, followed by brief presentations by each of the six UACs on the issues of greatest concern to their communities. A question-and-answer session closes the program. Information and brochures about King County services will be available.

The Forum will be held on Monday, July 26, from 7-9:30 PM at the Hobart Church located at 27524 SE 200th St. Doors open at 6:30 PM. All Rural Area residents are invited to attend and participate.

Proposed Master-Planned Developments in Black Diamond

Yarrow Bay has proposed two Master Planned Developments (MPDs) in the City of Black Diamond. A total of 4,530 single-family and 1,520 multi-family units have been proposed on nearly 700 acres. Over 1,100,000 sq ft of commercial and office space also has been proposed.

The Area Council has been involved since the beginning of the year. Letters of Concern were sent to both the WA Department of Transportation (WSDOT) and King County requesting each agency provide comments on the Final Environmental Impact Statements (FEISs)--which they did on January 25 and February 9, respectively. Each agency also testified during FEIS Appeals Hearings held in March.

Many Area Council members attended those hearings and concurrent MPD Application Hearings--both before Hearing Examiner Phil Obrechts, as well as the ongoing Closed-Record Hearings--before the Black Diamond City Council. Area Council Chair, Steve Hiester, and members Beverly Tonda and Peter Rimbos have provided both Public oral testimony and written comments during the MPD Application Hearings and the ongoing Closed-Record Hearings (i.e., no new "evidence" can be introduced) before the Black Diamond City Council. Peter Rimbos also has served as an Area Council liaison for concerned Black Diamond citizens and nearby Rural Area residents throughout the process.

Specific Area Council concerns remain the impacts of urban development both directly and indirectly on the Rural Area and its citizens. Specifically, the Area Council contests the inadequacy of the traffic analysis conducted and the dearth of mitigations proposed; siting of a large retention "Lake" in the Rural Area west of the property; and the siting of up to seven

new schools in the Rural Area, The Area Council remains steadfast in the belief, also held by King County, that the Rural Area shall not be used to enable urban development.

In May the Hearing Examiner, Phil Obrechts, recommended approval of the Yarrow Bay-MPD applications. While recommending approval, the Hearing Examiner also recommended several conditions on the applications. These included: (1) Transportation--development and validation of a new traffic model, route and intersection analyses using the new model, and the resulting identification of needed mitigations; (2) Construction Noise--additional study and mitigation (unfortunately, there is no way to "soundproof" a home against the 90 dB noise levels expected--300 times higher than recommended human hearing thresholds); and (3) Fiscal Impacts--additional analyses to address the projected annual and overall shortfalls in jobs created and revenue generated.

During the ongoing Closed-Record Hearings, which commenced on June 21, the Black Diamond City Council has heard from both City Staff and Yarrow Bay on why the applications should be approved. In addition, there were five nights of Public oral testimony--about 50 speakers, which ended on July 7. Following City Staff and Yarrow Bay Closing Statements on July 14, the City Council will begin open public deliberations, which will lead to a final decision to accept, conditionally accept, or reject the applications. All sessions have been held at the Black Diamond Elementary School between 7 and 9:30 PM and are open to the public.

Should the City Council decide to accept outright or conditionally accept the MPD Applications, work will begin on the Development Agreement. Here, Yarrow Bay will prepare their plan to meet any conditions placed on the MPD Applications by the City Council. This plan will be negotiated with City Staff. Once the Development Agreement is complete, Open-Record Hearings (i.e., "new" evidence can be introduced) on the Development Agreement will be held. These will be open to the public and testimony will be taken from any members of the public who wish to speak.

The timing on the Development Agreement is somewhat dependent on the breadth of any conditions placed on the MPD Applications. Members of the public can check the City of Black Diamond web site for hearing dates: <http://www.ci.blackdiamond.wa.us/>.

King County Code Change Recommendations

The Area Council's Growth Management Committee Chair, Peter Rimbos, described the 3-month effort just completed by the Growth Management and Transportation Committees. That effort consisted of a comprehensive review of the King County Code (KCC) to address potential Rural Area impacts from large urban developments. This was precipitated by the Yarrow Bay-proposed 6,000-home Master Planned Developments in Black Diamond which are expected to have major effects on all of southeast King County including the Rural Area.

The objective of the effort was to provide specific KCC change recommendations to the King County Executive and King County Council "to protect the Rural Area from massive urban development and its "overflow" (intentional or not)." As part of the effort, the committees also reviewed applicable KC Comprehensive Plan (KCCP) provisions and the state's Revised Codes of Washington (RCWs).

The committees met jointly seven times and developed a set of recommendations and supporting rationale of those KCC TITLES deemed most applicable. Specific areas were identified that need better clarity, stronger language, or more emphasis and execution. In

general, the committees recommended King County enforce the KCC, as many KCC provisions are well structured to protect Rural Area citizens from the impacts of adjacent urban development, but in many cases meaningful or timely enforcement is lacking. The full KCC can be found at: http://www.kingcounty.gov/council/legislation/kc_code.aspx.

More detail will be available once the full Area Council votes on a set of final recommendations at its August 2 monthly meeting. However, in general, the committees recommended the following listed by KCC TITLE:

7--Parks & Recreation: Combine school needs with park needs to create multipurpose parks.

9--Surface Water Management: Strengthen surface water runoff policy to protect Rural Area property rights; Maintain consistency with the KC Surface Water Design Manual; Fund East KC Groundwater Protection Committee and appoint a Rural Area representative.

10--Solid Waste: Ensure Rural Area representation on KC Solid Waste Advisory Committee.

13--Water & Sewer Systems: No recommendations.

14--Roads & Bridges: Eliminate Transportation Concurrency's 6-year lag time for completing required Transportation Infrastructure mitigation (a WA State requirement).

16--Building Standards: No recommendations.

17--Fire Code: No recommendations.

20--Planning: No recommendations.

21A--Zoning: Eliminate loopholes that could site non-Rural facilities under Permitted Uses; Eliminate fire sprinkler requirement for new structures on land >2.5 ac; Broaden Home Occupation total area allowed.

26--Agriculture & Open Space Lands: There is insufficient funding available to purchase Open Space now at a time of historically low prices.

Area Council final recommendations will be presented to the King County Executive, King County Council, and the King County Code Committee later in the summer to coincide with the County's annual budget cycle and planning efforts.

Next Regular Monthly Meeting:

Date/Time -- Monday, August 2, at 7:00 - 9:30 PM.

Location -- Sheriff's Precinct #3 Headquarters, 231st St & SR-169 (across from Fire Station)