

Land Use Issues and Impacts

By Peter Rimbos, Corresponding Secretary

On Monday, June 6, the Greater Maple Valley Unincorporated Area Council held its regular monthly meeting. The following topics were discussed: Proposed King County Code Zoning Changes; Pacific Raceways Expansion; and Black Diamond Master Planned Developments. 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.

King County Code Zoning Changes

Harry Reinert of King County's Department of Development and Environmental Services (DDES) described a package of proposed amendments to the King County Zoning Code--specifically Building and Land-Use Development Regulations. Many of the proposed changes are technical in nature to clarify several existing regulations in the areas of Building, Clearing & Grading, Land Segregation, Zoning & Permitting, and Critical Areas. DDES currently is accepting public comment. The King County Council could take up these proposed changes at their July 14 meeting. [The proposed Ordinance, a detailed summary, and ways to provide Public Comments can be found here.](#)

Last fall the Area Council submitted recommended Zoning Code changes to DDES. These included eliminating allowing Junior and Senior High Schools in Rural Area including the loophole that allows re-use of public school facilities. There are no facilities to support them including roads and road maintenance and sewer service (a major concern that could allow possible future development by tagging-on to such sewer facilities at some point in the future). The Area Council also recommended eliminating allowing School District Support Facilities in the Rural Area. The traffic congestion created by such facilities does not fit in the Rural Area with the Tahoma School District Bus Facility serving as an example.

Mr. Reinert stated DDES has reviewed all the Area Council's recommendations and plans to take them into account when addressing Code changes. He also indicated some of the Area Council's recommendations fall under larger policy changes that can be addressed by the Growth Management Planning Council as they update the County-Wide Planning Policies. Finally, he stated the 2012 Update to the King County Comprehensive Plan as another avenue to address Area Council recommendations. The Area Council will pursue those opportunities as well.

Pacific Raceways

Greg Wingard of the Middle Green River Coalition provided an update on recent proposals to expand Pacific Raceways in the Rural Area east of Auburn. Mr. Wingard was speaking on behalf of Soos Creek Action Response (SCAR), a local citizens-led group working to ensure all King County laws are met and the Rural Area not exploited.

Mr. Wingard described how Pacific Raceways has expanded over time bit-by-bit. This pattern of being allowed to manipulate the process has benefited Pacific Raceways, its owner, and associates, but has short-changed the Public and the environmentally sensitive Soos Creek ecosystem that borders on two sides.

Pacific Raceways has submitted a new proposal that would be a radical departure from the current Conditional-Use Permit, as it would introduce new never-before considered zoning uses on the property. Mr. Wingard summarized three major concerns with Pacific Raceways proposal:

1. Misuse of the Rural Area for "urban"-style facilities: Approximately 1,000,000 sq ft of commercial/retail is proposed--only slightly smaller than what YarrowBay has proposed in Black Diamond and actually larger than the Auburn Super Mall --a level of intensive urbanization not appropriate for the Rural Area.
2. Rezoning for unsuitable purposes: After agreeing to put land from industrial zoning into rural zoning and agreeing to put that rural land into a conservation easement (to expand industrial zoning to the north), Pacific Raceways is requesting additional acreage (from the area they originally agreed to put into conservation easement) be rezoned as industrial.
3. Increase/extension of unwanted infrastructure: Since sewer systems are not typically extended into the Rural Area, Pacific Raceways is proposing to truck all sewage (black water/gray water) off-site for treatment. This would involve many truck trips--an expensive way to deal with sewage. There is a concern among people in the immediate area that Pacific Raceways will soon propose to move the Urban Growth Boundary to allow sewers into the site. Over time, Pacific Raceways has been successful in expanding the use of certain racing activities and to segment, piece-meal, and misappropriate land use beyond the permitted capabilities--including, but not limited to--gravel mining. Currently,

Pacific Raceways wants its Master Plan to be designated as a "pilot project," which would require changes in the King County Comprehensive Plan, without the benefit of prior proposal or an Environmental Impact Statement (EIS), which has been avoided for two decades.

SCAR and other local members of the public would like to see Pacific Raceways be required to follow the same application process that other commercial developers have to follow, which includes a new application for their current proposal. Such an application should, after the threshold determination, initiate an EIS, thereby fulfilling a twenty-year-old requirement. Mr. Wingard stated that given the critical adjacent resources to this proposed development, including two major branches of Soos Creek--a salmon bearing stream that includes endangered Chinook, sections with steep slopes, erosion and slide prone areas--this is a common-sense approach. It provides a better foundation to base decisions on, is more transparent for the affected community, and still allows fair consideration of whatever proposal the developer intends to put forward.

Further, Mr. Wingard stated Pacific Raceways should have to go through a Special-Use Permit process that eventually is decided by the King County Council, but the proposed Ordinance would not even provide for a Conditional-Use Permit.

On one final point Mr. Wingard described how the new Ordinance proposes the use of a Development Agreement, which typically has not been used in King County. Mr. Wingard is concerned this would cause the local Soos Creek Community Plan to be overridden. He also expressed concern the proposed process could allow the unusual circumstance whereby the Development Agreement is approved before the EIS process is complete.

Mapping

Tom Carpenter of the Four Creeks Unincorporated Area Council (FCUAC)--essentially the May Valley area northwest of the Area Council--discussed in-depth mapping capabilities available from King County. The FCUAC has been using these capabilities with the help of Green River Community College to develop County Land-Use maps of the Rural Area and beyond.

They also are looking at even more localized mapping projects as varied as for supporting Community Block Watch Programs, assessing High-Traffic Intersections, etc. Mr. Carpenter stated the GIS capabilities and database are large and, thus, can provide a great service to Rural Area residents. Mr. Carpenter will keep the Area Council apprised as these mapping capabilities are more fully explored.

Black Diamond MPDs

The YarrowBay-proposed Master-Planned Developments (MPDs)--6,050 homes and 1.15 million sq ft of commercial/business space--in the City of Black Diamond soon will be the subject of another set of Public Hearings. Area Council concerns remain: massive amounts of traffic throughout the region, and up to four new Schools and major Stormwater Detention Facilities all in the Rural Area.

On May 23 the City of Black Diamond's Hearing Examiner held a Pre-Hearing Conference to establish the ground rules for Public Hearings on the YarrowBay Development Agreements (DAs). The DAs are required to provide critical details of all aspects of MPD planning, development, and build-out over a 15- to 20-year timeframe. It is expected the Hearings will start in mid July. As before, the Public will be able provide Oral Testimony as well as submit Written Statements. The Area Council again will provide both Oral Testimony and Written Statements.

Information on the upcoming Public Hearings--including final ground rules from the Hearing Examiner--will be posted on the [City of Black Diamond MPD page](#). The YarrowBay DRAFT DAs also are posted, along with many other MPD documents.

Council Business

1. King County Council's Transportation, Economy, & Environment Committee: On May 27 the Area Council sent a letter requesting the Committee take a more active role in helping to work the many issues related to the YarrowBay-proposed MPDs in Black Diamond. The Committee deals with three of the most pressing issues related to the proposed MPDs: Transportation, Economy, and Environment.
2. County-Wide Planning Policies: The Growth Management Planning Council (GMPC) is accepting Public Comments on its update of the County-Wide Planning Policies (C-WPPs). The Area Council approved a Letter to the GMPC requesting Schools that primarily serve adjacent Urban Development not be placed in the Rural Area. The Letter also included specific comments on Transportation Infrastructure, Level of Service, and Transportation Concurrency Testing. Public Comments can be sent to the GMPC up until its Wednesday, June 29, meeting at which the GMPC will consider action on a "final" draft. [Click here for more information](#).
3. Future of the UACs: The King County Executive, at the request of the King County Council, has drafted a proposal to establish a new relationship between the County and the UAC in place of the existing Citizens' Participation Initiative. Part of

the Executive's proposal is to establish a Rural Commission with appointed members. Such a Rural Commission, for better or worse, essentially would serve as a layer between the current UACs and the King County Council. The King County Council has yet to take action on the Executive's proposed plan.

Next Regular Monthly Meeting:

Date/Time -- July 11, 2011, at 7:00 - 9:30 PM.

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